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THE

JOURNAL OF THE SENATE

DURING THE

TWENTY-NINTH SESSION

OF THE

LEGISLATURE OF THE STATE OF CALIFORNIA,

1891.

BEGAN ON MONDAY, JANUARY FIFTH, AND ENDED ON WEDNESDAY, MARCH TWENTY-FIFTH, EIGHTEEN HUNDRED AND NINETY-ONE.

SACRAMENTO:
STATE OFFICE, : : : : : : : A. J. JOHNSTON, SUPT. STATE PRINTING.
1891.

CALIFORNIA LEGISLATURE—SENATE.

TWENTY-NINTH SESSION.

IN SENATE.

SENATE CHAMBER,
Monday, January 5, 1891.

Hon. S. M. White, President pro tem. of the Senate, presided, and announced that this being the time designated in the Constitution for the meeting of the Legislature, the Senate will come to order.

ROLL CALL.

By direction of the President pro tem., the Secretary called the roll of hold-over Senators, and the following responded to their names:

Messrs. Banks, Britt, Byrnes, Campbell of Solano, Crandall, Dargie, De Long, Dray, Flint, Fraser, Hamill, Heacock, Langford, McComas, McGowan, Mead, Preston, Sprague, Welch, and Williams (Wm. H.).

The Secretary called the roll of Senators elect, and the following answered to their names:

Second District—Trinity, Siskiyou, and Shasta: R. H. Campbell.
Sixth District—Mendocino and Lake: J. H. Seawell.
Eighth District—Tehama and Colusa: H. C. Wilson.
Tenth District—Sonoma: J. W. Ragsdale.
Twelfth District—Yuba and Sutter: D. A. Ostrom.
Fourteenth District—Amador and Calaveras: E. C. Voorhies.
Sixteenth District—Alameda: Eli S. Denison.
Eighteenth District—Alameda: William Simpson.
Twentieth District—San Francisco: George H. Williams.
Twenty-second District—San Francisco: Daniel H. Everett.
Twenty-fourth District—San Francisco: J. H. Mahoney.
Twenty-sixth District—San Francisco: John T. Broderick.
Twenty-eighth District—San Francisco: Thomas C. Maher.
Thirtieth District—Merced, Stanislaus, and Tuolumne: T. D. Harp.
Thirty-second District—Santa Clara: W. C. Bailey.
Thirty-fourth District—Mariposa, Alpine, Mono, and Fresno: G. G. Goucher.
Thirty-sixth District—Inyo, Tulare, and Kern: G. S. Berry.
Thirty-eighth District—Los Angeles and Orange: R. B. Carpenter.
Fortieth District—San Diego and San Bernardino: H. M. Streeter.

OATH OF OFFFICE.

The Senators elect then took and subscribed the oath of office administered by the President, as follows:

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of Senator to the best of my ability.

The Chair announced to the Senate that there was one Senator whose name was on the roll call who had died since the last election.

Mr. Goucher thereupon stated that he had the certified copy of the certificate of election of the deceased Senator, Mr. C. L. Pond, and a certificate of his death, which were filed with the Secretary by order of the Chair.

PRAYER.

Prayer by the Chaplain, Rev. A. C. Bane.

MOTION.

Mr. Heacock moved to proceed to the election of a President pro tem. and other officers provided by the statute.

So ordered.

NOMINATIONS.

Nominations for President pro tem. of the Senate being in order, Mr. De Long nominated Mr. Fraser, of El Dorado.

Mr. Ostrom nominated Mr. Langford, of San Joaquin.

The roll was called, and Mr. Fraser was elected by the following vote:

For Fraser—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.).

For Langford—Messrs. Berry, Britt, Fraser, Goucher, Hamill, Harp, Mead, Ostrom, Seawell, Welch, Williams (Wm. H.), and Wilson.

Whole number of votes cast	39
Necessary to a choice	20
Mr. Fraser received	27
Mr. Langford received	12

ELECTION OF SECRETARY OF THE SENATE.

Nominations for Secretary being in order, Mr. Crandall nominated Mr. Frank J. Brandon, of San José.

Mr. Goucher nominated Mr. Geo. W. Peckham, of Santa Cruz.

The roll was called, and Mr. Brandon was elected by the following vote:

For Brandon—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.).

For Peckham—Messrs. Berry, Britt, Goucher, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, Williams (Wm. H.), and Wilson.

Whole number of votes cast	39
Necessary to a choice	20
F. J. Brandon received	27
G. W. Peckham received	12

ELECTION OF ASSISTANT SECRETARY.

Nominations for Assistant Secretary being in order, Mr. Dargie nominated J. C. Boatman, of Alameda.

Mr. W. H. Williams of San Francisco nominated Mr. J. J. McCarty, of San Francisco.

The roll was called, and Mr. Boatman was elected by the following vote:

For Boatman—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.).

For McCarty—Messrs. Berry, Britt, Goucher, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, Williams (Wm. H.), and Wilson.

Whole number of votes cast	39
Necessary to a choice	20
Mr. Boatman received	27
Mr. McCarty received	12

ELECTION OF SECOND ASSISTANT SECRETARY.

Nominations for Second Assistant Secretary being in order, Mr. Geo. H. Williams, of San Francisco, nominated Mr. R. L. Thomas, of San Francisco.

Mr. Mead nominated J. H. Corcoran, of Mariposa.

The roll was called, and Mr. R. L. Thomas was elected by the following vote:

For Thomas—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.).

For Corcoran—Messrs. Berry, Britt, Goucher, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, Williams (Wm. H.), and Wilson.

Whole number of votes cast	39
Necessary to a choice	20
R. L. Thomas received	27
J. H. Corcoran received	12

ELECTION OF SERGEANT-AT-ARMS.

Nominations for Sergeant-at-Arms being in order, Mr. Byrnes nominated Mr. Thos. Rogers, of Kern.

Mr. Hamill nominated Geo. W. Faylor, of San Francisco.

The roll was called, and Mr. Rogers was elected by the following vote:

For Rogers—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.).

For Faylor—Messrs. Berry, Britt, Goucher, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, Williams (Wm. H.), and Wilson.

Whole number of votes cast	39
Necessary to a choice	20
Thos. Rogers received	27
Geo. W. Faylor received	12

ELECTION OF ASSISTANT SERGEANT-AT-ARMS.

Nominations for Assistant Sergeant-at-Arms being in order, Mr. Mahoney nominated Mr. T. B. Gardner, of San Francisco.

Mr. Welch nominated Henry Levy, of San Francisco.

The roll was called, and Mr. Gardner was elected by the following vote:

For Gardner—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.).

For Levy—Messrs. Berry, Britt, Goucher, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, Williams (Wm. H.), and Wilson.

Whole number of votes cast	38
Necessary to a choice	20
T. B. Gardner received	26
H. Levy received	12

ELECTION OF MINUTE CLERK.

Nominations for Minute Clerk being in order, Mr. Langford nominated Mr. W. E. Bidwell, of San Joaquin.

Mr. Simpson nominated Mr. C. S. McMullan, of Alameda.

The roll was called, and Mr. McMullan was elected by the following vote:

For McMullan—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.).

For Bidwell—Messrs. Berry, Britt, Goucher, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, Williams (Wm. H.), and Wilson.

Whole number of votes cast	39
Necessary to a choice	20
C. S. McMullan received	27
W. E. Bidwell received	12

ELECTION OF JOURNAL CLERK.

Nominations for Journal Clerk being in order, Mr. Voorhies nominated Mr. Francis A. Rossi, of Amador.

Mr. Britt nominated Mr. Jesse A. Galland, of San Francisco.

The roll was called, and Mr. Rossi was elected by the following vote:

For Rossi—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.).

For Galland—Messrs. Berry, Britt, Goucher, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, Williams (Wm. H.), and Wilson.

Whole number of votes cast	39
Necessary to a choice	20
F. A. Rossi received	27
J. A. Galland received	12

ELECTION OF ENROLLING CLERK.

Nominations for Enrolling Clerk being in order, Mr. Sprague nominated Mr. J. H. Dungan, of Napa.

Mr. Berry nominated T. W. O'Neil, of Sacramento.

The roll was called, and Mr. Dungan was elected by the following vote:

For Dungan—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.).

For O'Neil—Messrs. Berry, Britt, Goucher, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, Williams (Wm. H.), and Wilson.

Whole number of votes cast	39
Necessary to a choice	20
J. H. Dungan received	27
T. W. O'Neil received	12

ELECTION OF ENGROSSING CLERK.

Nominations for Engrossing Clerk being in order, Mr. Maher nominated Mr. J. H. Harney, of San Francisco.

Mr. Harp nominated Mr. H. I. Ward, of Tulare.

The roll was called, and Mr. Harney was elected by the following vote:

For Harney—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.).

For Ward—Messrs. Berry, Britt, Goucher, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, Williams (Wm. H.), and Wilson.

Whole number of votes cast	39
Necessary to a choice	20
J. H. Harney received	27
H. I. Ward received	12

ELECTION OF POSTMISTRESS.

Nominations for Postmistress being in order, Mr. De Long nominated Mrs. E. Tobias, of San Rafael.

Mr. Wilson nominated Miss Susie Scott, of San Joaquin.

The roll was called, and Mrs. Tobias was elected by the following vote:

For Mrs. Tobias—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.).

For Miss Scott—Messrs. Berry, Britt, Goucher, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, Williams (Wm. H.), and Wilson.

Whole number of votes cast	38
Necessary to a choice	20
Mrs. E. Tobias received	26
Miss S. Scott received	12

Mr. G. J. Campbell declined to vote.

ADDRESS BY RETIRING PRESIDENT PRO TEM.

Mr. White called Mr. Fraser to the chair, and addressed the Senate, as follows:

In severing my official relations with this body, I cannot resist the temptation to briefly indicate the thanks which I feel are due to many of you for the uniform kindness and forbearance of which I have been the fortunate beneficiary. During the twenty-seventh session of the Legislature I occasionally presided over the Senate's deliberations, and throughout the twenty-eighth session I was constantly in the chair. Called on to make frequent rulings upon controverted matters, it was and ever will be a source of deep gratification to me to know that my judgment stood, without exception, as the judgment of the Senate, and that not one of my colleagues, however variant our political views, ever charged that a decision was made during my incumbency that was not the result of candid deliberation. To receive the encomiums of persons of character is a laudable aspiration; the bestowal of such an honor is gratifying to that pride which is but the synonym of self-respect. In parting from you permit me to hope that your efforts may be as fruitful as sanguine anticipation can picture, and that we non-officeholders, whose function it shall be to comment upon your work, may find but little to criticise and nothing to condemn.

With the majority of the people of this great Commonwealth, who have in an emphatic manner recorded their determination that you shall be their trusted agents, I join in wishing you not only an honorable but also an appreciative career.

MOTIONS.

Mr. Goucher moved that the remarks of the retiring President pro tem. be printed in full in the Journal.

So ordered.

Mr. Heacock moved that the newly elected officers of the Senate be sworn in.

So ordered.

The officers elect who were present were duly sworn in.

ADJOURNMENT.

Mr. Mahoney moved to adjourn until to-morrow at eleven o'clock A. M.

So ordered.

Thereupon, at one o'clock P. M. the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 6, 1891.

Hon. Thomas Fraser, President pro tem., in the chair.

ROLL CALL.

The roll was called, and the following Senators responded to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Vorhies, Welch, Williams (Geo. H.), Williams (Wm. H.), and Wilson.

Quorum present.

Prayer by the Chaplain, Rev. A. C. Bane.

READING OF JOURNAL.

Journal of yesterday read.

Mr. Heacock moved to amend the Journal by inserting after the names of the new Senators the number of the district and the counties they represent.

So ordered.

Mr. Crandall moved to amend page one by inserting in Mr. Heacock's motion the word "statute" instead of the word "Constitution."

So ordered.

Mr. Goucher moved to amend by inserting in lieu of the statement that he presented the certificate of election of C. L. Pond, that he presented a certified copy of his certificate of election and a certificate of his death.

So ordered.

Journal as corrected approved.

RESOLUTION.

Mr. Dray offered the following resolution:

Resolved, That the Secretary of the Senate be directed to notify the Assembly that the Senate was organized on Monday, January 5, 1891, and is ready to proceed to business, with the following officers:

President pro tem	Senator Thos. Fraser.
Secretary of Senate	F. J. Brandon.
Assistant Secretaries	J. C. Boatman and R. L. Thomas.
Sergeant-at-Arms	Thos. Rogers.
Assistant Sergeant-at-Arms	T. B. Gardner.
Minute Clerk	C. S. McMullan.
Journal Clerk	F. A. Rossi.
Enrolling Clerk	J. H. Dungan.
Engrossing Clerk	J. H. Harney.
Postmistress	Mrs. E. Tobias.

Adopted.

CONCURRENT RESOLUTION.

Mr. De Long offered the following concurrent resolution:

Resolved, That the Senate, the Assembly concurring, hereby agrees to meet in Joint Convention, at two o'clock and thirty minutes P. M., this day, for the purpose of canvassing the returns for Governor and Lieutenant-Governor.

Adopted.

MOTION.

Mr. Goucher moved that a committee of three be appointed to wait on the Governor and notify him of the organization of the Senate.

So ordered.

COMMITTEE.

The Chair appointed as such committee: Messrs. Goucher, De Long, and Campbell of Siskiyou.

RESOLUTIONS.

Mr. Dray offered the following resolution:

Resolved, That a committee of three be appointed by the President of the Senate, to confer with a like committee from the Assembly and the Inaugural Ball Committee of Sacramento City, upon the inauguration ceremonies.

Adopted.

The Chair appointed as such committee: Messrs. Dray, Dargie, and Goucher.

Mr. Heacock offered the following resolution:

Resolved, That John Reith, Jr., and W. G. Kinsell be and they are hereby elected Assistant Minute Clerks of the Senate, at the same per diem as Minute Clerk, the same to be paid out of the fund for contingent expenses of the Senate.

Mr. Seawell moved to amend the resolution by substituting the names of J. D. McPike and V. Ryan.

Lost.

Mr. Heacock's resolution was then adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher,

Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Williams (G. H.), Williams (Wm. H.), and Wilson—24.

Noes—Messrs. Broderick, Mead, and Welch—3.

Mr. Streeter offered the following resolution, and moved its adoption:

Resolved, That John McNulty and Edward A. Davis be and they are hereby elected Assistant Journal Clerks of the Senate, at the same per diem as the Journal Clerk, the same to be paid out of the Contingent Fund of the Senate.

Mr. Seawell moved to amend by inserting the name of Lee Brown in lieu of those named in the resolution.

Lost.

Mr. Streeter's resolution was then adopted by the following vote:

Ayes—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denson, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Williams (Geo. H.), Williams (Wm. H.), and Wilson—32.

Noes—Messrs. Goucher, Hamill, Mead, and Welch—4.

Mr. Dray offered the following resolution:

Resolved, That a committee of three be appointed by the President of the Senate to notify the Assembly that the Senate is organized ready for business, and ready to receive any communication that it may wish to make.

Adopted.

The Chair appointed as such committee: Messrs. Dray, Byrnes, and Hamill.

Mr. R. H. Campbell offered the following resolution:

Resolved, That Miss Agnes Vance be and is hereby appointed Assistant Postmistress of the Senate, at a per diem of four dollars, the same to be paid out of the Contingent Fund of the Senate.

Adopted, by the following vote:

Ayes—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denson, Dray, Everett, Flint, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Williams (Geo. H.), and Williams (Wm. H.)—28.

Noes—Messrs. Berry, Harp, Ostrom, Seawell, Welch, and Wilson—6.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

Assembly Chamber, Sacramento, January 5, 1891.

Mr. President: I am directed to inform your honorable body that the Assembly, on this day, organized by the election of the following officers:

Speaker	Frank L. Coombs.
Speaker pro tem.	Nestor A. Young.
Chief Clerk	H. A. Mason.
Assistant Clerk	F. W. Whitmore.
Sergeant-at-Arms	H. J. McKusick.
Assistant Sergeant-at-Arms	G. E. Shinn.
Minute Clerk	W. J. Randall.
Journal Clerk	A. F. Chapman.
Engrossing Clerk	E. J. Niles.
Enrolling Clerk	A. L. Rossi.
Postmistress	Mrs. W. H. Hunter.
Chaplain	Rev. A. C. Herrick.
Assistant Postmistress	Mrs. B. M. Clark.
Clerk to Sergeant-at-Arms	F. Hernandez.
Assistant Minute Clerk	B. Warschauer.

H. A. MASON, Chief Clerk.
By Ed. E. Leake, Assistant Clerk.

REPORT OF SPECIAL COMMITTEE.

The committee appointed to wait upon the Governor reported that they had carried out the request of the Senate, and the committee was discharged.

RESOLUTIONS.

Mr. Bailey offered the following resolution:

Resolved, That Mrs. Elma Glover be and is hereby appointed Assistant Enrolling Clerk of the Senate, at the same per diem as the Enrolling Clerk, to be paid out of the Contingent Fund of the Senate.

Mr. Seawell moved to amend by inserting in lieu of Mrs. Elma Glover the name of M. B. Bransford.

Lost.

The original resolution was then adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Williams (Geo. H.), and Williams (Wm. H.)—27.

NOES—Messrs. Berry, Campbell of Solano, Harp, Mead, Ostrom, Seawell, Welch, and Wilson—8.

Mr. Maher offered the following resolution:

Resolved, That P. H. Andross be and is hereby appointed Bookkeeper and Clerk to the Sergeant-at-Arms of the Senate, at the same per diem as the Sergeant-at-Arms, the same to be paid out of the Contingent Fund of the Senate.

The resolution was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Siskiyou, Campbell of Solano, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), and Williams (Wm. H.)—29.

NOES—Messrs. Berry, Goucher, Harp, Ostrom, Seawell, and Wilson—6.

Mr. Broderick offered the following resolution:

Resolved, That John A. Hoey be and is hereby appointed Second Assistant Sergeant-at-Arms of the Senate, at the same per diem as the Sergeant-at-Arms, the same to be paid out of the Contingent Fund of the Senate.

The resolution was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), and Williams (Wm. H.)—28.

NOES—Messrs. Berry, Goucher, Hamill, Harp, Mead, Ostrom, Seawell, and Wilson—8.

Mr. Flint offered the following resolution:

Resolved, That George Dunlap be and is hereby appointed Mail Carrier of the Senate, at a salary of four dollars per diem, the same to be paid out of the Contingent Fund of the Senate.

The resolution was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), and Williams (Wm. H.)—30.

NOES—Messrs. Berry, Goucher, Harp, Mead, Ostrom, Seawell, and Wilson—7.

LEAVE OF ABSENCE.

Mr. Langford was granted leave of absence for the day.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in the following Senate concurrent resolution:

Resolved, That the Senate, the Assembly concurring, hereby agrees to meet in Joint Convention, at two o'clock and thirty minutes P. M., this day, for the purpose of canvassing the returns for the Governor and Lieutenant-Governor.

H. A. MASON, Chief Clerk.

REPORT OF SPECIAL COMMITTEE.

Mr. Dray, from the committee on conference, reported that they had carried out the instructions of the Senate, and were discharged.

RESOLUTIONS.

Mr. Dargie offered the following resolution:

Resolved, That Mrs. Maud Tebbetts be and hereby is appointed Assistant Engrossing Clerk of the Senate, at the same per diem as the Engrossing Clerk, the same to be paid out of the Contingent Fund of the Senate.

The resolution was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), and Williams (Wm. H.)—30.
NOES—Messrs. Campbell of Solano, Harp, Ostrom, Seawell, and Wilson—5.

Mr. McComas offered the following:

Resolved, That C. E. Berry be and he is hereby appointed Doorkeeper of the Senate at a per diem of four dollars, the same to be paid out of the Contingent Fund of the Senate.

The resolution was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Heacock, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), Williams (Wm. H.), and Wilson—29.
NO—Mr. Harp—1.

Mr. Campbell of Solano offered the following resolution:

Resolved, That Edward Morton be and he is hereby appointed Messenger for the Sergeant-at-Arms of the Senate, at a per diem of four dollars, the same to be paid out of the Contingent Fund of the Senate.

The resolution was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), and Williams (Wm. H.)—28.
NOES—Messrs. Harp, Ostrom, Seawell, and Wilson—4.

Mr. McGowan offered the following resolution:

Resolved, That Wm. W. Taylor be and is hereby appointed Bill Clerk of the Senate, at a per diem of five dollars, the same to be paid out of the Contingent Fund of the Senate.

The resolution was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McGowan, Ostrom, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Wilson—30.
NOES—Messrs. Harp and Seawell—2.

Mr. Everett offered the following resolution:

Resolved, That Charles A. O'Connell be and is hereby appointed Folding and Mailing Clerk for the Senate, at a per diem of five dollars, to be paid out of the Contingent Fund of the Senate.

The resolution was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Heacock, Maher, Mahoney, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), and Williams (Wm. H.)—30.
NOES—Messrs. Berry, Hamill, Harp, Ostrom, Seawell, and Wilson—6.

Mr. Denison offered the following resolution:

Resolved, That W. C. Whitman be and is hereby appointed Messenger to the Committee on Elections of the Senate, at a per diem of five dollars, the same to be paid out of the Contingent Fund of the Senate.

Mr. Heacock moved, as an amendment, that the said Messenger be employed and paid only when said committee was in session investigating contested election cases.

So ordered.

The resolution as amended was then adopted, by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), and Williams (Wm. H.)—28.
NOES—Messrs. Berry, Harp, Ostrom, Seawell, and Wilson—5.

Mr. Banks offered the following resolution:

Resolved, That Joseph Van Praag, Nathaniel Stevans, and J. R. Todd be and are hereby appointed Gatekeepers of the Senate, at a salary of four dollars per diem, the same to be paid out of the Contingent Fund of the Senate.

The resolution was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), and Williams (Wm. H.)—28.
NOES—Messrs. Berry, Hamill, Harp, Mead, Ostrom, and Seawell—6.

Mr. G. H. Williams offered the following resolution:

Resolved, That Thomas Ryan, R. P. Jessup, and Rueben Seebeck be and are hereby appointed Watchmen of the Senate, at a per diem of four dollars, the same to be paid out of the Contingent Fund of the Senate.

The resolution was adopted by the following vote:

Ayes—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), Williams (Wm. H.), and Wilson—33.
Noes—Messrs. Berry, Harp, Ostrom, and Seawell—4.

Mr. Carpenter offered the following resolution:

Resolved, That Chant C. Vickery be and is hereby appointed Messenger to State Printer, at a per diem of five dollars, to be paid out of the Contingent Fund of the Senate.

The resolution was adopted by the following vote:

Ayes—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), and Williams (Wm. H.)—31.
Noes—Messrs. Berry, Mead, and Seawell—3.

Mr. Preston offered the following resolution:

Resolved, That Ed. Blakey and Hiram Cleek be and are hereby appointed Porters of the Senate, at a per diem of four dollars, the same to be paid out of the Contingent Fund of the Senate.

The resolution was adopted by the following vote:

Ayes—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Wilson—34.
No—Mr. Mead—1.

Mr. Dargie offered the following resolution:

Resolved, That Frank O. Smith, Edward Stack, and D. Hubbard be and they are hereby appointed Pages of the Senate, at a per diem of three dollars, to be paid out of the Contingent Fund of the Senate.

The resolution was adopted by the following vote:

Ayes—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), Williams (Wm. H.), and Wilson—34.
Noes—Messrs. Berry, Harp, and Simpson—3.

Mr. Dray offered the following resolution:

Resolved, That Mrs. Belle S. Herr be and is hereby appointed Janitress of the Senate, at a salary of five dollars per diem, the same to be paid out of the Contingent Fund of the Senate.

The resolution was adopted by the following vote:

Ayes—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Preston, Simpson, Sprague, Voorhies, Welch, Williams (Geo. H.), and Williams (Wm. H.)—30.
Noes—Messrs. Berry, Harp, Mead, Ostrom, Seawell, and Wilson—6.

RECESS.

Mr. Dargie moved that the Senate take a recess until two o'clock P. M.
So ordered.

REASSEMBLED.

At two o'clock P. M. Mr. Fraser called the Senate to order.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, McComas, McGowan, Mead, Ostrom, Preston, Simpson, Sprague, Voorhies, Welch, Williams (Wm. H.), and Wilson.

Quorum present.

MOTION.

Mr. Heacock moved to take up the Governor's messages, and that separate action be taken on different subdivisions.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 5, 1891.

To the Senate of the State of California:

I herewith transmit to your honorable body my second biennial message, with accompanying documents.

R. W. WATERMAN, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 5, 1891.

To the Senate of the State of California:

I have the honor to inform your honorable body that since the adjournment of the twenty-eighth session of the Legislature I have made the following appointments, and I respectfully request the consent of the Senate to the same:

Fish Commissioners.—March 18, 1889, John K. Orr, San Francisco, vice J. Downey Harvey, removed. March 18, 1889, Joseph D. Redding, San Francisco, vice Joseph Routier, removed.

State Board of Health.—March 18, 1889, J. R. Laine, Sacramento, vice G. G. Tyrrell, term expired.

Port Warden, San Francisco.—January 16, 1890, Alexander Badlam, vice John Martin, deceased.

Pilot Commissioners, San Francisco, Mare Island, Vallejo, and Benicia.—March 18, 1889, E. W. Travers, vice A. C. Freese, removed. March 18, 1889, Oliver Eldridge, San Francisco, vice Martin Bulger, removed.

Insane Asylum, Stockton.—April 15, 1889, R. S. Johnson, Stockton, vice L. M. Cutting, withdrawn. September 22, 1889, Obed Harvey, Galt, vice self, failed to qualify.

Deaf, Dumb, and Blind Asylum.—November 20, 1889, Warren Olney, Oakland, vice T. A. Lord, resigned.

Trustees California Home for Feeble-Minded Children.—December 3, 1889, Geo. W. Gibbs, San Francisco, vice J. H. Findlay, resigned. January 22, 1890, A. P. Overton, Santa Rosa, vice C. A. Murdock, resigned.

Regents State University.—April 1, 1890, Louis Sloss, Jr., San Francisco, vice John S. Hager, deceased.

Mendocino State Asylum for Insane.—March 7, 1889, E. W. King, Ukiah. March 7, 1889, T. L. Carothers, Ukiah. March 7, 1889, Archibald Yell, Ukiah. March 7, 1889, Cornelius O'Connor, San Francisco. March 7, 1889, John B. Wright, Sacramento.

Trustees Southern California Hospital for Insane, San Bernardino.—May 19, 1890, H. L. Drew, San Bernardino; M. A. Murphy, Colton; John Anderson, San Bernardino; E. F. Spence, Los Angeles; Richard Gird, Chino. September 26, 1890, Frank Hinckley, San Bernardino, vice M. A. Murphy, resigned. October 30, 1890, H. A Palmer, Los Angeles, vice Richard Gird, resigned. January 6, 1891, M. A. Murphy, Colton, vice Frank Hinckley, deceased.

State Prison Director.—January 5, 1891, J. C. Campbell, Stockton, vice Patrick Reddy, resigned.

R. W. WATERMAN, Governor.

MOTIONS.

Mr. Heacock moved that the consideration of that part of the message relating to the appointment of officers requiring confirmation or

non-confirmation by the Senate, be set for January 20, 1891, at two o'clock P. M.

So ordered.

Mr. Heacock moved that one thousand five hundred copies of the Governor's message be printed.

So ordered.

Mr. Heacock moved that the attachés elected this morning and those previously elected, and not sworn in, come forward and take the oath of office.

So ordered.

The attachés were then sworn in.

RESOLUTIONS.

Mr. Dray offered the following resolution:

Resolved, That Rev. J. A. Bruner be appointed Chaplain of this Senate, at a per diem of five dollars, payable out of the Contingent Fund of the Senate.

Mr. Seawell moved to amend by substituting the name of Rev. A. C. Bane for that of Rev. J. A. Bruner.

Lost.

The roll was called, and the resolution adopted, by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), and Williams (Wm. H.)—34.

NOES—None.

Mr. Dargie offered the following resolution:

Resolved, That the per diem of the several officers, clerks, and employés and attachés of the Senate be the same as was paid to such officers, clerks, employés, and attachés, respectively, for like services at the last session of the Senate.

Adopted.

Thereupon, it was announced that the hour of two o'clock and thirty minutes P. M. having arrived, pursuant to the resolution previously adopted, the Senate would now proceed to the Assembly Chamber for the Joint Convention.

IN JOINT CONVENTION.

Proceedings of the Joint Convention to canvass the returns of the election of Governor and Lieutenant-Governor:

The President pro tem. of the Senate and Senators were announced and received in Joint Convention.

The Convention was called to order by Acting President pro tem. of the Senate, Senator Heacock, and Speaker of the Assembly.

The roll of Senators was called by the Secretary of the Senate, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), Williams (Wm. H.), and Wilson.

The roll of the Assembly was called by the Chief Clerk of the Assembly, and the following members answered to their names:

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

The Secretary of the Senate read the sections of the Political Code authorizing the Joint Convention.

The Acting President pro tem. of the Senate appointed as tellers on the part of the Senate, Senators Dargie and Goucher.

Then the Speaker of the Assembly appointed as tellers on the part of the Assembly, Messrs. Freeman and Robertson.

The tellers announced that the vote cast at the last general election, held on the fourth day of November, 1890, for Governor and Lieutenant-Governor, was as follows:

FOR GOVERNOR.

H. H. Markham	125,125
E. B. Pond	117,204
John Bidwell	10,143
Scattering	71
Whole number of votes cast for Governor	252,543

The Speaker thereupon declared the result as certified by the Secretary of State and tellers of the Convention to be: Total number of votes cast for Governor, 252,543, and that H. H. Markham having received the highest number of votes cast was duly elected Governor of the State of California for the ensuing term, according to the Constitution and the laws of the State.

FOR LIEUTENANT-GOVERNOR.

J. B. Reddick	126,354
R. F. Del Valle	115,781
A. M. Hough	6,872
Ben. Morgan	3,384
Scattering	37
Whole number of votes cast for Lieutenant-Governor	252,428

The Speaker thereupon declared the result to be: Total number of votes cast for Lieutenant-Governor, 252,428, and that J. B. Reddick having received the highest number of votes cast at said general election for Lieutenant-Governor, was duly elected Lieutenant-Governor of the State of California for the ensuing term, according to the Constitution and the laws of the State.

The following resolution was introduced by Mr. Dibble:

Resolved, That the hour of twelve o'clock noon of January eighth instant, 1891, be appointed as the time when the Governor and Lieutenant-Governor elect shall take the official oath in the presence of both Houses of the Legislature, in Joint Convention assembled, as required in and by Section 905 of the Political Code.

Resolved, That a committee of two Senators and two Assemblymen be appointed, respectively, by the President of the Senate and the Speaker of the House to inform the Governor and Lieutenant-Governor elect of this action.

Resolved, That when this Joint Convention adjourns, it will adjourn to meet at noon on January the eighth instant.

Adopted.

The Acting President pro tem. of the Senate appointed as a committee to wait on the Governor and Lieutenant-Governor elect, and inform them of the result of the Joint Convention of both Houses, Messrs. Heacock and Langford.

The Speaker of the Assembly appointed Messrs. Dibble and Wolfskill as a committee to wait on the Governor and Lieutenant-Governor elect, and inform them of the result of the Joint Convention of both Houses.

The minutes of the joint session were read by the Secretary of the Senate, and Mr. Goucher moved that the minutes be corrected so as to read "Speaker of the Assembly," instead of "the Speaker of the House."

So ordered.

Mr. Hale moved to approve the minutes of the joint session as corrected.

So ordered.

Thereupon, at the hour of four o'clock P. M., the joint session adjourned until twelve o'clock M. on the eighth instant.

IN SENATE.

At four o'clock and ten minutes P. M. the Senate reassembled.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), Williams (Wm. H.), and Wilson.

Quorum present.

RESOLUTION.

Mr. Crandall offered the following resolution:

Resolved, That a temporary Committee on Contingent Expenses and Mileage, consisting of three, be appointed by the Chair.

Adopted.

The Chair appointed as such committee: Messrs. Crandall, Preston, and Mead.

MOTIONS.

Mr. Langford moved to adopt the rules of last session as the temporary rules of the present session.

Mr. Crandall moved as a substitute that the Chair appoint a committee of three on temporary rules, to report to-morrow at eleven o'clock and thirty minutes A. M.

The substitute was adopted.

The Chair appointed as such committee: Messrs. Heacock, Langford, and Dray.

ADJOURNMENT.

At four o'clock and twenty minutes P. M., the Senate adjourned to meet at eleven o'clock A. M. to-morrow.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 7, 1891.

The Senate met pursuant to adjournment.

Hon. Thomas Fraser, President pro tem., in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

The Journal of yesterday was read.

Mr. Crandall moved that the Journal be corrected by striking out the words "to report to-morrow at eleven o'clock and thirty minutes A. M.," used in connection with the appointment of Messrs. Crandall, Preston, and Mead as a temporary committee on contingent expenses and mileage.

So ordered.

The Journal as corrected was then approved.

RESOLUTION.

Mr. Dray offered the following resolution:

Resolved, That the Secretary of State be requested to have the dome of the State Capitol building lighted during the evening of Friday, January 9, 1891, and to have the Senate Chamber placed in readiness for the occasion of the inaugural ball to be held on that evening, and the sum of two hundred dollars ($200) is hereby appropriated out of the Contingent Fund of the Senate to pay the expense thereof.

Adopted.

FURTHER TIME GRANTED.

The hour of eleven o'clock and thirty minutes having arrived, the Committee on Temporary Rules asked for further time to report.

Granted.

RESOLUTIONS.

Mr. Dray offered the following resolution:

Resolved, That when the Senate adjourns on Thursday, January 8, 1891, such adjournment shall be until Monday, January 12, 1891, at eleven o'clock A. M.

Adopted.

Mr. Goucher offered the following resolution:

[illegible]

Adopted.

Also:

[illegible]

Adopted.

Also:

[illegible]

MOTION.

Mr. Campbell of Siskiyou moved to take up the Assembly message.

So ordered.

ASSEMBLY MESSAGE.

[illegible]

MOTION.

Mr. Simpson moved that the matter be referred to the Committee on Public Buildings.

POINT OF ORDER.

Mr. Hancock raised the point of order that no such committee had been appointed.

The Chair declared the point well taken.

MOTION.

Mr. Campbell moved that the accompanying resolution be so referred.

Mr. Sprague moved as a substitute that the Chair appoint a committee of five to report upon the concurrent resolution.

Mr. Heacock moved as an amendment that such committee report at eleven o'clock and thirty minutes A. M. on Monday next.

Mr. Sprague accepted the amendment.

The roll was called, and the motion of Mr. Sprague prevailed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Langford, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—33.

NOES—Messrs. Banks, Goucher, Hamill, and Harp—4.

APPOINTMENT OF SPECIAL COMMITTEE.

The Chair appointed as such committee Messrs. Goucher, Wilson, Flint, Sprague, and Voorhies.

ADJOURNMENT.

Mr. Goucher moved to adjourn until eleven o'clock A. M. to-morrow.

So ordered.

Thereupon, the Senate stood adjourned at twelve o'clock and ten minutes P. M.

IN SENATE.

SENATE CHAMBER,
Thursday, January 8, 1891.

The Senate met pursuant to adjournment.

Hon. Thomas Fraser, President pro tem., in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

The Journal of yesterday was read. During the reading of the Journal, Senator Heacock was called to the chair.

The Journal, upon its reading, there being no objection, was declared approved.

MOTION.

Mr. De Long moved to take up Assembly messages.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted the following concurrent resolution:

Resolved by the Assembly, the Senate concurring, That the Assembly and Senate do meet in joint session in the Assembly Chamber, at twelve o'clock noon, on Thursday, January 8, 1891, for the purpose of attending the inauguration of the Governor and Lieutenant-Governor.

Also concurred in the following Senate concurrent resolution, viz.:

Resolved by the Senate, the Assembly concurring, That the Secretary of State be requested to place at the disposal of the committees having in charge the inaugural ceremonies, and subsequent inaugural ball and banquet, the various halls, corridors, and unoccupied chambers in and about the State Capitol, from and after the adjournment of the Legislature on this seventh day of January, 1891, to the hour of ten o'clock A. M., January 12, 1891.

H. A. MASON, Chief Clerk.

MOTION.

Mr. De Long moved that the Senate concur in said resolution.

So ordered.

LEAVE OF ABSENCE.

Senator Banks asked that he be granted a leave of absence on Monday next.

Granted.

RESOLUTION.

Mr. McGowan moved the adoption of the following resolution:

Resolved, That the Controller be and he hereby is directed to deliver to the Sergeant-at-Arms, or his clerk, all the warrants of the members of this Senate, and the officers and attachés thereof, taking his receipt therefor.

Adopted.

REPORT OF COMMITTEE ON CONFERENCE.

The Committee on Conference, appointed to confer with the Governor, reported that they had discharged their duties.

REPORT OF COMMITTEE ON TEMPORARY RULES.

The Committee on Temporary Rules reported as follows:

MR. PRESIDENT: Your Committee on Temporary Rules beg leave to submit the following report:

We recommend the adoption of the Standing Rules of the Senate of the twenty-eighth session, with the exception of Rules I and XVI; and we recommend that Rule XVI be amended to read as follows:

RULE XVI.

The following standing committees shall be appointed:

1. Committee on Agriculture, Viniculture, and Viticulture, to consist of nine members.
2. Committee on Apportionment and Representation, to consist of nine members.
3. Committee on City, City and County, and Town Governments, to consist of nine members.
4. Committee on Commerce and Navigation, to consist of seven members.
5. Committee on Constitutional Amendments and Banks and Banking, to consist of seven members.
6. Committee on Corporations, to consist of eleven members.
7. Committee on Claims, to consist of seven members.
8. Committee on Counties, County Government, and Township Organization, to consist of nine members.
9. Committee on Education and Public Morals, to consist of seven members.
10. Committee on Election, to consist of seven members.
11. Committee on Enrolled and Engrossed Bills, to consist of seven members.

12. Committee on Federal Relations and Immigration, to consist of seven members.
13. Committee on Finance, to consist of seven members.
14. Committee on Forestry, Yosemite Valley, and Mariposa Big Tree Grove, and Fish and Game, to consist of five members.
15. Committee on Harbors, Rivers, and Coast Defenses, to consist of five members.
16. Committee on Hospitals, to consist of five members.
17. Committee on Irrigation and Water Rights, to consist of thirteen members.
18. Committee on Judiciary, to consist of eleven members.
19. Committee on Labor and Capital, to consist of nine members.
20. Committee on Mines, Drainage, and Mining Debris, to consist of seven members.
21. Committee on Military Affairs, to consist of seven members.
22. Committee on Public Buildings other than Prison Buildings, to consist of eleven members.
23. Committee an Public Printing, to consist of three members.
24. Committee on Public and Swamp and Overflowed Lands, to consist of five members.
25. Committee on Roads and Highways, to consist of seven members.
26. Committee on State Library and on Rules, to consist of three members.
27. Committee on State Prisons and Prison Buildings, to consist of nine members.
28. Committee on Attachés, Contingent Expenses, and Mileage, to consist of five members.

RULE XVI½.

No leave of absence shall be granted to any greater number than three of any standing or special committee, for the purpose of visiting any public building or institution, except by a two-thirds vote of the entire Senate.

RULE VIII½.

Senate bills, or bills that have passed the Assembly, and have been acted upon favorably by the proper Senate committee, to the passage of which there is no objection, may, on Thursday of each week, be called up as a special order, immediately after roll call, and may be passed the several readings under a suspension of the constitutional provision, and a motion to suspend such provision shall be in order. If any five Senators shall object to the consideration of any bill under this rule, such bill shall be set aside, retaining its position on the file, and shall not be considered that day.

Committee recommend that Rule I be amended to read as follows:

RULE I.—OPENING OF THE DAILY SESSIONS.

The time of meeting of the Senate, commencing Tuesday, January 13, 1891, shall be ten o'clock A. M. (Sundays excepted), and in case any other is named, it shall be applicable only to one day, and shall not affect this rule beyond the day named for a different hour of meeting; and a recess shall be taken from twelve o'clock M. to one o'clock and thirty minutes P. M.; *provided*, that on Mondays the time of meeting shall be two o'clock P. M.

HEACOCK, Chairman.

AMENDMENTS.

Mr. De Long moved to amend rule seventeen by striking out the words "pro tem."

Carried.

Mr. Preston moved that the report be corrected wherein there has been a consolidation of committees of the twenty-eighth session, so as to make the number comprising such consolidated committee equal to that of the committee named in said consolidated committee which had the largest number of members during the previous session.

Carried.

ADOPTION OF TEMPORARY RULES AND COMMITTEES.

Mr. Crandall moved that the report of the committee as amended be adopted.

Carried.

COMMUNICATION FROM THE SERGEANT-AT-ARMS.

The following communication from the Sergeant-at-Arms was read:

Will the President please ask the Senators to place their inkstands on the outside of their desks when the Senate adjourns, that the Sergeant-at-Arms may care for them during the recess. If they are left in the desks, damage will be done by spilling when the Senate Chamber is prepared for the ball.

Respectfully,

THOS. ROGERS, Sergeant-at-Arms.
By GARDNER, Assistant.

REPORTS OF SPECIAL COMMITTEE ON CONTINGENT EXPENSES AND MILEAGE.

The Special Committee on Contingent Expenses and Mileage presented the following reports:

MR. PRESIDENT: The Special Committee on Contingent Expenses and Mileage beg leave to report that the following named Senators are entitled, by law, to be allowed for mileage, for their attendance on the twenty-ninth session of the Senate, the several amounts set opposite their names, as follows:

W. C. Bailey, 256 miles	$25 60
W. O. Banks, 168 miles	16 80
G. S. Berry, 454 miles	45 40
J. E. Britt, 168 miles	16 80
J. T. Broderick, 168 miles	16 80
J. D. Byrnes, 218 miles	21 80
R. H. Campbell, 630 miles	63 00
G. J. Campbell, 170 miles	17 00
R. B. Carpenter, 956 miles	95 60
A. W. Crandall, 256 miles	25 60
W. E. Dargie, 182 miles	18 20
F. C. De Long, 216 miles	21 60
E. S. Denison, 182 miles	18 20
F. R. Dray	
D. H. Everett, 168 miles	16 80
T. Flint, Jr., 346 miles	34 60
T. Fraser, 122 miles	12 20
G. G. Goucher, 338 miles	33 80
J. F. Hamill, 168 miles	16 80
T. D. Harp, 166 miles	16 60
E. H. Heacock, 738 miles	73 80
B. F. Langford, 112 miles	11 20
T. C. Maher, 168 miles	16 80
J. H. Mahoney, 168 miles	16 80
J. E. McComas, 1,022 miles	102 20
F. McGowan, 624 miles	62 40
M. H. Mead, 246 miles	24 60
D. A. Ostrom, 92 miles	9 20
E. M. Preston, 142 miles	14 20
J. W. Ragsdale, 282 miles	28 20
J. H. Seawell, 410 miles	41 00
William Simpson, 182 miles	18 20
F. S. Sprague, 40 miles	4 00
H. M. Streeter, 1,190 miles	119 00
E. C. Voorhies, 146 miles	14 60
J. W. Welch, 168 miles	16 80
W. H. Williams, 168 miles	16 80
George H. Williams, 168 miles	16 80
H. C. Wilson, 252 miles	25 20

Your committee also recommend the adoption of the following resolution:

Resolved, That the Senators above named be and are hereby allowed the amount set opposite their respective names for mileage for attendance on the twenty-ninth session of the Senate, and the Controller is requested to draw his warrant for said amount, to be paid out of the appropriations for per diem and mileage of Lieutenant-Governor and Senators.

JANUARY 8, 1891.

CRANDALL,
PRESTON,
MEAD,
Committee.

Mr. Crandall moved the adoption of the report.
Carried.

Mr. President: Your Special Committee on Contingent Expenses and Mileage have had under consideration the mileage and per diem of the temporary officers of the Senate, and beg leave to report that the following officers and attachés are entitled to mileage and per diem under the provision of the Political Code, as follows:

Mileage.

Stephen M. White, President pro tem.—956 miles	$95 60
George W. Peckham, Secretary—410 miles	41 00
W. E. Bidwell, Minute Clerk—96 miles	9 60
J. D. McPike, Assistant Minute Clerk—204 miles	20 40
George W. Faylor, Sergeant-at-Arms—168 miles	16 80

Per Diem.

Stephen M. White, President pro tem.—5 days at $10 per day	$50 00
Rev. A. C. Bane, Chaplain—2 days at $5 per day	10 00
George W. Peckham, Secretary—6 days at $8 per day	48 00
J. J. McCarthy, Assistant Secretary—6 days at $8 per day	48 00
W. E. Bidwell, Minute Clerk—6 days at $8 per day	48 00
J. D. McPike, Assistant Minute Clerk—6 days at $8 per day	48 00
J. A. Galland, Journal Clerk—6 days at $8 per day	48 00
Lee Brown, Assistant Journal Clerk—6 days at $8 per day	48 00
E. H. Clough, Assistant Journal Clerk—6 days at $8 per day	48 00
T. W. O'Neil, Enrolling Clerk—6 days at $8 per day	48 00
Geo. W. Faylor, Sergeant-at-Arms—6 days at $8 per day	48 00
A. J. Clark, Assistant Sergeant-at-Arms—6 days at $6 per day	36 00
Philip Fay, Clerk to the Sergeant-at-Arms—6 days at $8 per day	48 00
Susie Scott, Postmistress—6 days at $3 per day	18 00
J. M. Mitchell, Mail Carrier—6 days at $4 per day	24 00
B. F. Alexander, Porter—6 days at $4 per day	24 00
Lewis Whiting, Porter—6 days at $4 per day	24 00
J. E. Brannan, Porter—6 days at $4 per day	24 00
Chas. Robinson, Porter—6 days at $4 per day	24 00
Jas. Costello, Porter—6 days at $4 per day	24 00
John Wilkins, Porter—6 days at $4 per day	24 00
W. S. Lynn, Porter—6 days at $4 per day	24 00
Edward J. Coffey, Page—6 days at $3 per day	18 00
Chas. Lansing, Page—6 days at $3 per day	18 00
Willie Ensberry, Page—6 days at $3 per day	18 00
Willie Bond, Page—6 days at $3 per day	18 00
Wilson Evans, Page—6 days at $3 per day	18 00
I. K. Mooser, Page—6 days at $3 per day	18 00
Lena Walton, Janitress—6 days at $3 per day	18 00
Daniel Wheelan, Messenger to Sergeant-at-Arms—6 days at $3 per day	18 00
Joseph Van Praag, Doorkeeper—1 day at $4 per day	4 00
L. S. Leightner, Gatekeeper—6 days at $4 per day	24 00
Dennis Haley, Watchman—6 days at $4 per day	24 00
John McCann, Watchman—6 days at $4 per day	24 00
J. Dushiels, Watchman—6 days at $4 per day	24 00

Your committee also recommend the adoption of the following resolution:

Resolved, That the Controller be authorized and directed to draw his warrant, payable out of the Contingent Fund of the Senate, to the parties above named for the amounts heretofore mentioned.

Sacramento, January 8, 1891.

CRANDALL,
PRESTON,
MEAD,
Committee.

Mr. Crandall moved the adoption of the report.
Carried.

RESOLUTION.

Mr. Sprague offered and moved the adoption of the following resolution:

Resolved, That the Secretary of State be directed to furnish each member of the Senate, and the Secretary of the Senate, a copy of the Constitution, and a copy of the latest edition of the Codes, at a price not to exceed eleven dollars and fifty cents.

The ayes and noes were demanded by Messrs. McGowan, Carpenter, and Banks.

The roll was called, and the resolution was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Crandall, De Long, Denison, Everett, Flint, Hamill, Maher, McComas, Preston, Seawell, Simpson, Sprague, Streeter, Welch, and Williams (Wm. H.)—22.

NOES—Messrs. Carpenter, Heacock, Langford, Mahoney, McGowan, Mead, Ostrom, Ragsdale, Voorhies, Williams (Geo. H.), and Wilson—11.

NOTICE OF RECONSIDERATION.

Mr. Crandall then gave notice that he would move a reconsideration on Monday next, at three o'clock P. M.

RECESS.

At eleven o'clock and fifty-five minutes A. M., the Chair declared a recess, in order that the Senate could meet in joint session with the Assembly at the hour set for the inauguration of the Governor elect, the Hon. Henry H. Markham. Whereupon the Senate rose in a body, and, accompanied by its officers, proceeded to the Assembly Chamber.

MEETING OF THE SENATE AND ASSEMBLY IN JOINT CONVENTION.

Pursuant to Assembly Concurrent Resolution No. 2, the Senate and Assembly of the State of California met in joint session in the Assembly Chamber at twelve o'clock M., Thursday, January 8, 1891, for the purpose of inaugurating the Governor elect, the Hon. Henry H. Markham.

Joint session was called to order by the President pro tem. of the Senate, in conjunction with the Speaker of the Assembly.

The roll call of Senators was called by the Secretary of the Senate, and the following Senators responded:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

The roll call of the Assembly was called by the Chief Clerk, and the following members responded:

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Stoltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

Quorum present.

President pro tem. Fraser of the Senate and Speaker Coombs of the Assembly, presiding.

Hon. Elwood Bruner, Chairman of the Joint Committee of the Senate and the Assembly on Inaugural Ceremonies, appeared at the bar of the

House and announced to the Speaker the presence of his Excellency Governor R. W. Waterman, and H. H. Markham, Governor elect.

Prayer by the Chaplain of the Assembly, Rev. A. C. Herrick.

Speaker Coombs introduced Governor R. W. Waterman, who made a brief address.

Mr. Bruner, Chairman of the Joint Committee, introduced to the Speaker, Governor-elect H. H. Markham.

The oath of office was administered by the Hon. W. C. Van Fleet, Judge of the Superior Court of Sacramento County, to the Governor elect as follows:

OATH OF OFFICE OF GOVERNOR.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Governor according to the best of my ability.

Governor Markham then delivered his inaugural address.

Proceedings of the joint session were read and approved.

At one o'clock and ten minutes P. M. the Speaker declared the joint session adjourned *sine die*.

REASSEMBLED.

President pro tem. Fraser called the Senate to order at one o'clock and eighteen minutes P. M.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

COMMUNICATION FROM THE LIEUTENANT-GOVERNOR.

President pro tem. Fraser announced that, by virtue of the Hon. J. B. Reddick having been sworn in as Lieutenant-Governor, he became the President of the Senate, and is entitled to the appointment of three porters and four pages, and presented the following communication from the President of the Senate, the Hon. John B. Reddick:

SACRAMENTO, January 8, 1891.

The following persons are hereby appointed, as employés of the Senate, to the following positions:

Porters—Walter S. Payne, A. Noble, and H. C. Saunders.

Pages—Charles Kean, Fred. Goodwin, George Short, and George Fitch.

And the Clerk of the Senate will enter the same upon the records.

ADJOURNMENT.

Mr. Dray moved that the Senate adjourn until two o'clock P. M. Monday next.

Carried.

At one o'clock and thirty-two minutes P. M., the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, January 12, 1891.

The Senate met pursuant to adjournment.

Hon. Thomas Fraser, President pro tem., in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

Prayer by the Chaplain, Rev. J. A. Bruner.

President pro tem. Fraser then presented Lieutenant-Governor J. B. Reddick, who, upon taking the chair, addressed the Senate as follows:

SENATORS: I assume possession of this gavel—the instrument that denotes our relative positions—with no little fear and trembling.

As your presiding officer, I am like one entering upon the exploration of new and unknown lands.

Whether I shall discover ability in myself to worthily discharge my duties as such officer, or you shall discover inefficiency, remains for the fruition of the coming days of this session.

In the outset let me say that I enter upon the discharge of my trust with the utmost good feeling and warmest friendship towards each and all of you. Though to many of you comparatively a stranger, I trust that the close of the session will find me worthy of your strongest friendships and perfect confidence.

In all our relations as officers of the State, it will be my aim to court your respect; I shall strive to preside as an impartial President, and accord to each of you that recognition due your positions as honored members on the floor of this Senate, without reference to your political faiths.

You and I—we are all here the accredited representatives of the whole people.

Much, very much, grave and important legislation is expected of this present session of the Legislature. There are but few, if any, measures which should be treated as purely partisan. And if perchance partisan propositions rear themselves, let it be said the rights of the minority were not ignored by the majority.

We are here to legislate for the best interests of the people, and of every class and condition thereof; and such should be the predominant thought and sentiment of every member upon this floor.

Local and lesser interests should not be permitted to overshadow legislation looking to the best interests of the whole State. I do not mean to say local interests are not to be subserved, but that such matters should not become detrimental to that general legislation which embraces our State, and the people thereof as an entirety.

Never has a Legislature in this State assembled under a closer compact with the people than has this one. The representatives of both the leading parties are pledged to the strictest economy.

So far, the disposition seems to gain that such pledges shall and will be redeemed. But it will require the last day of the session and its last hour to demonstrate to our constituents the fact whether such pledges are redeemed.

To return to our homes, and meet our several peoples, and to merit the commendation of all, it will be necessary to legislate within the lines of our pledges.

Legislative expenses should be curtailed to such an extent as to meet actual requirements, and no more. Employés sufficient to the dispatch of business are all we should look to, and none given place for the sake of place only. Appropriations should be measured by the minimum instead of the maximum standard.

If these matters are carefully looked to, the members of this Legislature can return to the people and say: We have kept our pledge—the expenses of our State Government are within the 50-cent limit as we promised.

Senators, again I bespeak your patience in my new and untried position, and when errors occur attribute them to lack of judgment and not to purpose. Let extravagance in nothing and economy in all things be the motto of the Senate of 1891.

Again allow me to thank the Senators for their consideration in not importuning me as to committee assignments during my recent illness, and to say that I feel flattered

that they have seen fit to leave so much to my own judgment in the arrangement of the committees. In the selection of each I have tried to be just and fair towards each and all of you.

RESOLUTIONS.

By Mr. Sprague:

Resolved, That the State Printer be instructed to print one thousand copies of the Governor's inaugual address for distribution in the Senate.

Adopted.

By Mr. Dray:

Resolved, That the Superintendent of State Printing be directed to print for this House three hundred and sixty copies of all bills, resolutions, and reports, instead of the statutory number, two hundred and forty.

Adopted.

By Mr. Heacock:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to furnish to accredited members of the press having seats on the floor of the Senate, two copies of every bill, resolution, or document printed for the use of Senators.

Adopted.

MOTION.

Mr. Ostrom moved that the remarks of the Lieutenant-Governor be spread upon the minutes.

So ordered.

READING OF THE JOURNAL.

The Journal was read.

Senator McGowan moved that it be corrected as follows:

On page five of the printed minutes, in connection with Senator Crandall's notice of reconsideration, change "eleven o'clock and thirty minutes A. M." to "three o'clock P. M."

So ordered.

Journal approved.

STANDING COMMITTEES.

The President announced the following standing committees, and gave notice that he would announce the remaining committees tomorrow:

On Agriculture, Viniculture, and Viticulture—Messrs. Fraser, Chairman; Dray, Flint, Ostrom, Ragsdale, Streeter, Langford, Heacock, and Berry.

On Corporations—Messrs. Carpenter, Chairman; McGowan, Maher, Heacock, Preston, Flint, Voorhies, Mahoney, Goucher, Mead, and Berry.

On Claims—Messrs. Heacock, Chairman; G. J. Campbell, Fraser, Everett, R. H. Campbell, Langford, and Mead.

On Education and Public Morals—Messrs. Denison, Chairman; Carpenter, G. J. Campbell, Ragsdale, G. H. Williams, Seawall, and Britt.

On Finance—Messrs. De Long, Chairman; Fraser, Crandall, Dray, Everett, Langford, and Hamill.

On Hospitals—Messrs. Simpson, Chairman; Byrnes, R. H. Campbell, Wilson, and Harp.

On Irrigation and Water Rights—Messrs. R. H. Campbell, Chairman; McComas, Goucher, Dray, Crandall, Mead, Streeter, Voorhies, and Sprague.

On Judiciary—Messrs. Sprague, Chairman; Carpenter, Heacock, McGowan, Crandall, Bailey, Dray, Goucher, Seawell, Broderick, and Fraser.

On Mines, Drainage, and Mining Debris—Messrs. Voorhies, Chairman; Fraser, Preston, R. H. Campbell, Mead, Dray, and Ostrom.

President pro tem. Fraser in the chair.

RESOLUTION.

By Mr. Preston:

Resolved, That a special committee of three Senators be appointed to confer with the Secretary of State in reference to the advisability of completing the vault for the storage of the archives of State in the basement of this building, with instructions to report in writing to this Senate, on Friday, January 16, at eleven o'clock and thirty minutes A. M.

Adopted.

MOTION.

Mr. Carpenter moved that Geo. A. Fitch, Page, and C. W. Vickrey, Messenger to State Printer, be sworn.

So ordered.

The two appointees came forward and were sworn in.

REPORT OF COMMITTEE ON INAUGURAL CEREMONIES.

SENATE CHAMBER, SACRAMENTO, January 12, 1891.

MR. PRESIDENT: We, your Committee on Inaugural Ceremonies, respectfully report, as follows:

That on Thursday, January 8, 1891, Hon. John B. Reddick, Lieutenant-Governor elect, appeared before the Joint Legislative Committee on Inaugural Ceremonies in the State Library in the State Capitol, at the hour of twelve o'clock M., and that then and there Hon. W. C. Van Fleet, Judge of the Superior Court of Sacramento County, duly administered the following oath to said Lieutenant-Governor elect:

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Lieutenant-Governor of the State of California according to the best of my ability."

Respectfully submitted.

F. R. DRAY.
W. E. DARGIE.
G. G. GOUCHER.

Adopted.

RESOLUTION.

By Mr. Preston:

Resolved, That the report of the Special Committee on Contingent Expenses and Mileage be amended to read as follows:

The Controller of State is directed to draw his warrants, payable out of the Contingent Fund of the Senate, in favor of persons herein named for amounts set opposite their names for services rendered in the temporary organization of this body:

Stephen M. White, five days at $8 per day instead of $10	$40
James Neal, Gatekeeper, six days at $4 per day	24
M. Morelli, Porter, six days at $4 per day	24

Adopted.

By Mr. Wilson:

Resolved, That Miss L. R. Scanlan be and is hereby appointed Second Assistant Engrossing Clerk of the Senate, at the same per diem as the Engrossing Clerk, the same to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Contingent Expenses, Attachés, and Mileage.

CONCURRENT RESOLUTIONS.

Mr. Wilson introduced a concurrent resolution memorializing Congress to loan money to farmers at two per cent per annum.

On motion of Mr. Crandall, referred to Committee on Federal Relations.

Mr. Wilson introduced a second concurrent resolution memorializing Congress to loan money to farmers at two per cent per annum.

Mr. Wilson moved to consider immediately.

Mr. Heacock moved to refer it to Committee on Federal Relations.

The ayes and noes were called for by Senators Wilson, Langford, and Ostrom.

The roll was called, and the resolution so referred by the following vote:

AYES—Messrs. Bailey, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Heacock, Maher, McComas, McGowan, Mead, Preston, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.) 24.

NOES—Messrs. Berry, Britt, Goucher, Hamill, Harp, Langford, Mahoney, Ostrom, Welch, Williams (Wm. H.), and Wilson—11.

RESOLUTION.

By Mr. McGowan:

Resolved, That no demand or requisition upon the Secretary of State for supplies of any kind for any committee of the Senate be allowed or filled, unless such demand or requisition is first approved by a majority of a committee consisting of three members, to be hereafter appointed by the President.

Referred to Committee on Attachés.

By Mr. Campbell of Solano:

Resolved, That the United States be resolved into a general pawnbroker's office, and authorized to loan money at two per cent on all articles of merchandise, implements, manufacturing establishments, land, etc., up to seventy-five per cent of its full value.

Referred to Committee on Federal Relations.

President pro tem. Fraser announced the following Special Committee on Conference, in accordance with Senator Preston's resolution: Senators Banks, Byrnes, and W. H. Williams.

REPORT OF SPECIAL COMMITTEE.

Mr. Sprague presented the following report:

Your committee appointed to report upon Assembly resolution in reference to the abolition of the restaurant and alleged bar in the basement of the State Capitol, beg leave to submit the following report:

First—That the law, as it now stands, treats the subject of the sale of intoxicating liquor in the State Capitol building, and that the Legislature, by a concurrent resolution, can neither repeal, modify, nor enforce the law.

Second—That the exclusive control of the building is legally in the hands of the Secretary of State, and that he cannot be deprived of such control by resolution.

Third—That your committee has consulted the Secretary of State, and find that he has at no time refused to conduct his business according to law.

Fourth—That your committee can see no reason why the restaurant should be abolished.

Fifth—Your committee is of the opinion that the members of the Senate are not in need of the protection indicated by said concurrent resolution.

Therefore, your committee recommends that the Senate do not concur with the Assembly in such resolution.

SPRAGUE, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 8, 1891.

To the Senate of the State of California:

I have the honor to inform you that I have appointed Marvin R. Higgins of the county of Los Angeles, State of California, my Private Secretary, through whom all communications from this office will be transmitted to your honorable body.

H. H. MARKHAM, Governor.

RESOLUTIONS.

By Mr. Simpson:

Resolved, That on the first day of introduction of bills the Secretary call the roll, and as each Senator's name is called he be permitted to introduce his bills.

Adopted.

By Mr. Dray:

Resolved, That Ikey Mooser be accorded the privilege of the floor of the Senate to act as private bill clerk to the members, and at the expense of those who employ him.

Adopted.

The hour of three o'clock P. M. having arrived, the reconsideration of the vote whereby Senator Sprague's resolution for the purchase of copies of the Constitution and Codes was adopted, was taken up.

Mr. McGowan offered an amendment.

Mr. Seawell raised the point of order that the amendment could not be considered.

President pro tem. Fraser ruled the point of order well taken.

Mr. Ostrom moved to reconsider the vote whereby the resolution was adopted.

Ayes and noes were called for by Senators Ostrom, McGowan, and G. H. Williams.

Motion lost by the following vote:

AYES—Messrs. Berry, Carpenter, Crandall, De Long, Denison, Goucher, Harp, Heacock, Mahoney, McGowan, Mead, Ostrom, Ragsdale, Streeter, and Voorhies—15.

NOES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Dargie, Dray, Everett, Flint, Fraser, Hamill, Langford, Maher, McComas, Preston, Seawell, Simpson, Sprague, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—23.

Mr. Simpson moved to adjourn.

The ayes and noes were called for by Senators Goucher, Berry, and McGowan.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Dargie, Denison, Dray, Everett, Hamill, Harp, Maher, Ostrom, Preston, Seawell, Simpson, Sprague, Welch, and Williams (Wm. H.)—19.

NOES—Messrs. Berry, Britt, Carpenter, Crandall, De Long, Flint, Fraser, Goucher, Heacock, Langford, Mahoney, McComas, McGowan, Mead, Ragsdale, Streeter, Voorhies, and Wilson—18.

ADJOURNMENT.

The Senate was declared adjourned, at three o'clock and twenty minutes P. M.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 13, 1891.

Senate met pursuant to adjournment.

President pro tem. Fraser in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

LEAVE OF ABSENCE.

Senator Ostrom asked for leave of absence for Senator Langford for one day.

Granted.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

Journal read.

Senator McGowan stated that he was informed as to the welfare of United States Senator Hearst, and moved that all reference to him in yesterday's Journal be expunged.

So ordered.

Journal corrected and approved.

RESOLUTION.

By Senator Heacock:

Resolved, That the following resolution, offered by Senator Dargie on the fifth of January, and appearing on the Journal of the Senate of January sixth, to wit:

"*Resolved*, That the per diem of the several officers, clerks, and employés and attachés of the Senate be the same as was paid to such officers, clerks, and employés and attachés, respectively, for like services at the last session of the Senate," be reconsidered.

Adopted.

Senator Heacock moved that Senator Dargie's resolution be indefinitely postponed.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 13, 1891.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have this day appointed Captain David W. Weldt Pilot of the Port of Wilmington and Bay of San Pedro, to which I respectfully ask your consent.

H. H. MARKHAM, Governor.

Senator Carpenter asked for unanimous consent to consider the message immediately.

Granted.

Roll called, and the appointment confirmed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo H.), and Wilson—34.

NOES—None.

APPOINTMENT OF STANDING COMMITTEES.

President pro tem. Fraser announced the following committees as having been appointed by President of the Senate Reddick:

On Commerce and Navigation—Messrs. Mahoney, Chairman; McGowan, Broderick, De Long, Byrnes, Williams (W. H.), and Langford.

On Constitutional Amendments and Banks and Banking—Messrs. Crandall, Chairman; Preston, Dray, Heacock, Dargie, Hamill, and Williams (W. H.).

On Forestry, Yosemite Valley, Mariposa Big Trees, Fish and Game—Messrs. Flint, Chairman; Sprague, Denison, Harp, and Wilson.

On Harbors, Rivers, and Coast Defenses—Messrs. Broderick, Chairman; Denison, McComas, Ostrom, and Hamill.

On Public Buildings other than Prison Buildings—Messrs. Banks, Chairman; Bailey, Byrnes, Streeter, Williams (G. H.), Britt, and Harp.

On Public, Swamp, and Overflowed Lands—Messrs. Dray, Chairman; Dargie, Bailey, Langford, and Ostrom.

On Labor and Capital—Messrs. Maher, Chairman; Simpson, Mahoney, Welch, and Wilson.

On Attachés, Contingent Expenses, and Mileage—Messrs. Byrnes, Chairman; Maher, Broderick, Ostrom, and Wilson.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Bailey: Senate Bill No. 1—An Act appropriating the sum of one hundred and seventy-five thousand dollars for the erection of additional buildings for the use of the State Insane Asylum at Agnews, to appropriate funds therefor, and to provide for the expenditure of the same.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 2—An Act to confirm, rectify, and make valid ordinances heretofore passed by the body intrusted with the government of incorporated cities, city and county, and towns, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated cities, city and county, and towns, by electric power.

Referred to Committee on Judiciary.

By Senator Berry: Senate Bill No. 3—An Act to amend section two thousand six hundred and eighty-eight of the Political Code of the State of California, concerning the hearing of the reports of viewers of public highways by Boards of Supervisors, and the manner, time, and place of hearing such report, and the method of giving notice of such time and place to non-consenting land owners, and concerning damages to be awarded on such hearing.

Referred to Committee on Roads and Highways.

Also: Senate Bill No. 4—An Act to amend section two thousand six hundred and eighty-two of the Political Code of the State of California, in relation to the character of petitions to be presented for the purpose of altering, laying out, or constructing, or discontinuing, or abandoning of any public highway.

Referred to Committee on Roads and Highways.

Also: Senate Bill No. 5—An Act to add a new section to the Political Code, to be numbered section two thousand six hundred and twenty-three, in relation to vacating public roads.

Referred to Committee on Roads and Highways.

Also: Senate Bill No. 6—An Act in relation to reassessments of property and the equalization of the same in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment.

Referred to Committee on Finance.

By Senator Britt: Senate Bill No. 7—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 10, 1887.

Referred to Committee on Public Buildings.

Also: Senate Bill No. 8—An Act to provide for the conduct of elections, and to more fully secure the independence of electors and the secrecy of the ballot.

Referred to Committee on Elections.

By Senator Broderick: Senate Bill No. 9—An Act to provide for the payment of the repairs upon the quarantine launch "Gov. Perkins."

Referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 10—An Act to amend sections six hundred and eighty-nine and five hundred and forty-nine of the Code of Civil Procedure of the State of California, relative to the claims by third persons of property levied upon under writs of execution and attachment as to the procedure upon said claims, and as to the necessary prerequisites to their being received.

Referred to Committee on Judiciary.

Also: Senate Bill No. 11—An Act to amend section six and to repeal section sixty-three of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to the appointment of receivers, and the care and disposition of the property of insolvent debtors during the pendency of insolvency proceedings and before the election of an assignee.

Referred to Committee on Judiciary.

By Senator Campbell of Siskiyou: Senate Bill No. 12—An Act repealing an Act declaring the Klamath River navigable.

Referred to Committee on Judiciary.

By Senator Carpenter: Senate Bill No. 13—An Act to amend section five hundred and thirty-two of the Penal Code, relating to the crime of obtaining money or property by false pretenses.

Referred to Committee on Judiciary.

Also: Senate Bill No. 14—An Act to amend section seventy-two of the Penal Code, relating to the fraudulent presentation of claims to public officers.

Referred to Committee on Judiciary.

Also: Senate Bill No. 15—An Act appropriating money to pay the expenses of maintaining an exhibit of the products of the State of California at the World's Columbian Exposition, to be held in Chicago in 1893, and to provide for Commissioners thereof.

Referred to Committee on Judiciary.

Also: Senate Bill No. 16—An Act to annul section four hundred and ninety-nine of the Civil Code of California, relative to the authority to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway operated under different managements to use parts of the same streets and tracks.

Referred to Committee on Judiciary.

Also: Senate Bill No. 17—An Act to amend an Act entitled "An Act to provide for the organization, government, etc., of irrigation districts," approved March 7, 1887.

Referred to Committee on Irrigation.

Also: Senate Bill No. 18—An Act to amend section one thousand one hundred and eighteen of the Penal Code, relating to the power of the Court when the evidence is insufficient to justify a conviction.

Referred to Committee on Judiciary.

Also: Senate Bill No. 19—An Act to amend section two thousand nine hundred and fifty-five of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to chattel mortgages.

Referred to Committee on Judiciary.

Also: Senate Bill No. 20—An act to amend section eight hundred and sixty-two of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March ——, 1883.

Also: Senate Bill No. 21—An Act relating to life, and casualty, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Referred to Committee on Corporations.

Also: Senate Bill No. 22—An Act to amend section four hundred of the Penal Code, relating to the offense of aiding, advising, and encouraging the commission of suicide, and to renumber said section.

Referred to Committee on Judiciary.

Also: Senate Bill No. 23—An Act to amend sections four hundred and four hundred and one of the Penal Code, relating to contagious diseases among animals, and to renumber said sections.

Referred to Committee on Judiciary.

Also: Senate Bill No. 24—An Act to amend section four hundred and one of the Penal Code, relating to the adulteration of candy, and to renumber said section.

Referred to Committee on Judiciary.

Also: Senate Bill No. 25—An Act to amend section one thousand two hundred and thirty-eight of the Penal Code, relating to cases wherein an appeal may be taken by the people.

Referred to Committee on Judiciary.

Also: Senate Bill No. 26—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 18, 1885, March 17, 1887, and March 16, 1889.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 27—An Act to provide for the improvement of the Reform School at Whittier, California, for Juvenile Offenders, and make an appropriation for the same.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 28—An Act to provide for the organization and government of levee districts created for the protection of the lands from overflow of innavigable streams of water, and to confine innavigable running streams to a fixed channel.

Referred to Committee on Judiciary.

By Senator Crandall: Senate Bill No. 29—An Act to amend section two hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, in relation to the adoption of children.

Referred to Committee on Judiciary.

Also: Senate Bill No. 30—An Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and sixteen, and three thousand eight hundred and sixty-six of "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be known as section three thousand seven hundred and fifty-seven, relative to the collection of property taxes.

Referred to Committee on Finance.

By Senator Dargie: Senate Bill No. 31—An Act to amend section three thousand six hundred and fifty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of Assessors.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 32—An Act to amend section two thousand two hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, in relation to the office of Treasurer of the Deaf and Dumb and Blind Asylum.

Referred to Committee on Finance.

Also: Senate Bill No. 33—An Act to provide buildings and improvements at the Deaf and Dumb and Blind Asylum, and making an appropriation for the same.

Referred to Committee on Finance.

Also: Senate Bill No. 34—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to the redemption of property sold for delinquent taxes, and the notices to be given by the purchasers of property at delinquent tax sales before applying for a deed.

Referred to Committee on Judiciary.

Also: Senate Bill No. 35—An Act to amend an Act entitled "An Act to establish a Political Code of the State of California."

Referred to Committee on Judiciary.

Also: Senate Bill No. 36—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand two hundred, and to repeal section one thou-

sand one hundred and eighty-eight, and to add a new section, to be numbered section one thousand two hundred and three, of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, all relating to liens of mechanics and others.

Referred to Committee on Judiciary.

Also: Senate Bill No. 37—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town by electricity.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 38—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 39—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

Referred to Committee on City, City and County, and Town Governments.

By Senator De Long: Senate Bill No. 40—An Act to provide for the appointment of a State Veterinary Surgeon, to prescribe his duties, and fixing his compensation.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

Also: Senate Bill No. 41—An Act to amend section four thousand one hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the deposit of public funds.

Referred to Committee on Finance.

By Senator Dray: Senate Bill No. 42—An Act to amend an Act entitled "An Act to amend section three thousand four hundred and eighty-eight of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, and to make sections three thousand four hundred and forty-six, three thousand four hundred and forty-seven, three thousand four hundred and forty-nine, three thousand four hundred and fifty, three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-seven, three thousand four hundred and fifty-nine, three thousand four hundred and

sixty, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-three, three thousand four hundred and sixty-five, three thousand four hundred and sixty-six, three thousand four hundred and sixty-seven, three thousand four hundred and sixty-eight, three thousand four hundred and seventy-one, three thousand four hundred and seventy-two, and three thousand four hundred and seventy-three of said Political Code, relating to the reclamation of certain lands within certain municipalities," approved March 19, 1889.

Referred to Committee on Public, Swamp, and Overflowed Lands.

By Senator Britt: Senate Bill No. 43—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers.

Referred to Committee on Corporations.

By Senator Dray: Senate Bill No. 44—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Referred to Committee on State Prisons and Prison Buildings.

Also: Senate Bill No. 45—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 46—An Act to amend section one thousand three hundred and fifty-eight of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to elections.

Referred to Committee on Elections.

Also: Senate Bill No. 47—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of incorporated cities, city and county, or towns.

Referred to Committee on Judiciary.

Also: Senate Bill No. 48—An Act to confirm, ratify, and make valid ordinances heretofore passed by the body intrusted with the government of incorporated cities, city and county, and towns giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated cities, city and county, and towns, by electric power.

Referred to Committee on Judiciary.

Also: Senate Bill No. 49—An Act to amend section seventy of the Civil Code, relating to solemnization of marriages.

Referred to Committee on Judiciary.

By Senator Everett: Senate Bill No. 50—An Act to amend sections one thousand nine hundred and eighteen, one thousand nine hundred and fifty-five, one thousand nine hundred and fifty-seven, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy, one thousand nine hundred and eighty, one thousand nine hundred and ninety, two thousand and twenty-two, two thousand and sixty-five, two thousand and ninety-four, two thousand and ninety-five, and two thousand and ninety-nine, and to add a new section, to be known as section two thousand and eight, to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the National Guard of California.

Referred to Committee on Military Affairs.

Also: Senate Bill No. 51—An Act to amend an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, and to authorize the owners of lots in such cemeteries to transfer them by deed.

Referred to Committee on Judiciary.

By Senator Flint: Senate Bill No. 52—An Act to provide compensation to G. B. Montgomery for professional services rendered the State of California at the request of the Attorney-General.

Referred to Committee on Claims.

Also: Senate Bill No. 53—An Act to amend section one (1) of an Act entitled "An Act to amend section one (1), to repeal sections two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10), eleven (11), and to renumber sections twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), and nineteen (19), of an Act entitled 'An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same,' approved April 15, 1880, amended March 6, 1883, amended March 9, 1885, amended March 14, 1885, amended March 9, 1887, to repeal all laws amendatory thereof, and to provide for the reorganization of existing districts and the formation of new districts," approved March 6, 1889, and to provide for the reorganization of existing districts, and to form a new agricultural district.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

By Senator Fraser: Senate Bill No. 54—An Act to appropriate money to pay the claim of George J. Mothersole for labor performed and expenses incurred in roofing the Napa State Asylum for the Insane under a written contract.

Referred to Committee on Claims.

Also: Senate Bill No. 55—An Act to appropriate money to pay the claim of Enoch N. Strout for services rendered as Reclamation Fund Commissioner, under "An Act to provide for the funding of the indebtedness of the Reclamation and Levee Districts of this State," approved March 30, 1872.

Referred to Committee on Claims.

RESOLUTION—(OUT OF ORDER).

Senator Goucher offered the following:

Resolved, That the Senate Committee on Public Buildings be and said committee is hereby instructed to consider, and report to the Senate within ten days after the adoption of this resolution, upon the advisability of materially reducing the number of Boards, Commissions, Trustees, and other public officers heretofore created by legislative enactment, and now discharging duties and trusts under the State Government; and said committee is further instructed to report to the Senate within the time hereinbefore specified the names of such Boards, Commissions, Trustees, and other officers as may be either abolished or consolidated without injury to the State.

Adopted.

INTRODUCTION OF BILLS—(RESUMED).

By Senator Goucher: Senate Bill No. 56—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of the State of California, relative to the place of trial of certain actions where a

county or city is a party, and a citizen or corporation resident of another county is sued by a county or city.

Referred to Committee on Judiciary.

Also: Senate Bill No. 57—An Act to provide for the nomination of candidates for office, to provide for ballots to be used in elections, and to further preserve the purity and secrecy of the ballot.

Referred to Committee on Elections.

Also: Senate Bill No. 58—An Act to amend section five hundred and thirty of the Political Code, relating to the office of Superintendent of State Printing.

Referred to Committee on Elections.

Also: Senate Bill No. 59—An Act to provide for the division of existing counties, and for the creation of new counties.

Referred to Committee on Counties, County Government, and Township Organization.

Also (by request): Senate Bill No. 60—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Referred to Committee on Forestry and Yosemite Valley and Mariposa Big Trees.

Also: Senate Bill No. 61—An Act to provide for the better discovery of assessable personal property, to aid Assessors and Boards of Equalization in the performance of their duties, and to require insurance companies to make annual reports of personal property insured.

Referred to Committee on Judiciary.

By Senator Hamill: Senate Bill No. 62—An Act for the relief of Patrick Creighton.

Referred to Committee on Claims.

Also: Senate Bill No. 63—An Act to fix the compensation for gas supplied by persons, companies, or corporations, to any city or incorporated city and county of more than one hundred thousand (100,000) inhabitants, or to the inhabitants thereof, and to provide a penalty for collecting or attempting to collect illegal gas rates.

Referred to Committee on Corporations.

Also: Senate Bill No. 64—An Act making an appropriation to pay the claim of D. Jordan.

Referred to Committee on Finance.

By Senator Heacock: Senate Bill No. 65—An Act to amend section one hundred and eighty-nine of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the government of counties of the twenty-seventh class.

Referred to Committee on Counties, County Government, and Township Organization.

Also: Senate Bill No. 66—An Act to regulate the sale of olive oil.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

Also: Senate Bill No. 67—An Act to amend section twelve hundred and thirty-eight of the Code of Civil Procedure, concerning the right of eminent domain.

Referred to Committee on Judiciary.

Also: Senate Bill No. 68—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three

thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, and three thousand seven hundred and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Referred to Committee on Judiciary.

Also: Senate Bill No. 69—An Act to amend section one thousand three hundred and twenty-nine of the Penal Code of the State of California, relative to the payment of the necessary expenses of witnesses in criminal cases.

Referred to Committee on Judiciary.

Also: Senate Bill No. 70—An Act to add a new section to the Penal Code of the State of California, to be numbered section eight hundred and thirty, relative to the service of warrants of arrest and other process in criminal cases.

Referred to Committee on Judiciary.

Also: Senate Bill No. 71—An Act prescribing the competency and for the protection of witnesses testifying as to crimes against the elective franchise, to be added as a new section under title four of the Penal Code of the State of California, and to constitute section sixty-four of said Penal Code.

Referred to Committee on Judiciary.

Also: Senate Bill No. 72—An Act regulating the form of requisitions for stationery made by the members of the Legislature, and the officers and employés thereof, upon the Secretary of State.

Referred to Committee on Finance.

By Senator Heacock: Senate Bill No. 73—An Act to amend section four thousand three hundred and seventy-one of the Political Code of the State of California, relative to taxation for municipal purposes.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 74—An Act relative to the non-insurance of property belonging to the State, against risk of damage or destruction by fire.

Referred to Committee on Public Buildings.

Also: Senate Bill No. 75—An Act to add a new section to the Political Code, to be known and designated as section four thousand three hundred and thirty-four, relating to the duties of officers.

Referred to Committee on Judiciary.

Also: Senate Bill No. 76—An Act to amend section one thousand one hundred and eighty-one of the Civil Code of the State of California, as amended April 3, 1880, relating to the proof and acknowledgment of instruments.

Referred to Committee on Judiciary.

Also: Senate Bill No. 77—An Act to legalize certain acknowledgments.

Referred to Committee on Judiciary.

By Senator Maher: Senate Bill No. 78—An Act entitled "An Act to provide for the payment for services rendered the State of California by William H. Thornley, as Deputy State Commissioner of Immigation, and making the necessary appropriation therefor."

Referred to Committee on Claims.

Also: Senate Bill No. 79—An Act to amend section one thousand two hundred and nine of the Code of Civil Procedure of the State of California, relating to the power of Courts in the matter of punishing contempts of Court.

Referred to Committee on Judiciary.

Also: Senate Bill No. 80—An Act to increase the police force of the various cities, and cities and counties of the State, and to provide for the appointment of such extra police officers, and for the payment of their salaries.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 81—An Act to provide for a State Board of Arbitration, for the settlement of differences between employers and employés.

Referred to Committee on Capital and Labor.

Also: Senate Bill No. 82—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-six, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Referred to Committee on Capital and Labor.

Also: Senate Bill No. 83—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Referred to Committee on Capital and Labor.

Also: Senate Bill No. 84—An Act to regulate the practice of pharmacy and sale of poisons in the State of California.

Referred to Committee on Hospitals.

Also: Senate Bill No. 85—An Act to amend an Act entitled "An Act in relation to certain deputies, assistants, and copyists of County Clerks."

Referred to Committee on Judiciary.

Also: Senate Bill No. 86—An Act relating to life, and casualty, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Referred to Committee on Corporations.

Also: Senate Bill No. 87—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to chapter eight, title thirteen, part one, one section numbered five hundred and thirty-eight, relating to the punishment of fortune telling.

Referred to Committee on Judiciary.

Also: Senate Bill No. 88—An Act to pay the claim of James W. Rankin for services in the office of the State Treasurer of California, and appropriate money therefor.

Referred to Committee on Claims.

Also: Senate Bill No. 89—An Act entitled "An Act to provide for the payment of services rendered the State of California by William H. Thornley, as State Commissioner of Immigration, and making necessary appropriation therefor."

Referred to Committee on Claims.

Also: Senate Bill No. 90—An Act to amend an Act entitled "An Act to amend section six of an Act entitled 'An Act concerning the waterfront of the City and County of San Francisco,' approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners," approved March 17, 1889.

Referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 91—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and furnishing by the Board of State Harbor Commissioners of a general ferry and passenger depot in the City and County of San Francisco; to create a Sinking Fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people.

Referred to Committee on Finance.

Also: Senate Bill No. 92—An Act to provide penalties for failure to pay tolls, by false returns or otherwise, to Board of State Harbor Commissioners.

Referred to Committee on Commerce and Navigation.

By Senator Mahoney: Senate Bill No. 93—An Act to amend sections six hundred and twenty-eight and six hundred and thirty of the Civil Code, relating to gas corporations.

Referred to Committee on Corporations.

Also: Senate Bill No. 94—An Act to add a new section to the Civil Code, to be known as section three hundred and twenty-eight, to enforce the provisions of section three, of article twelve, of the Constitution.

Referred to Committee on Judiciary.

Also: Senate Bill No. 95—An Act to add a new section to the Civil Code, to be known and designated as section five hundred and twelve, relating to street railroads.

Referred to Committee on Corporations.

Also: Senate Bill No. 96—An Act to amend section five hundred and one of the Civil Code, relating to railroads.

Referred to Committee on Corporations.

Also: Senate Bill No. 97—An Act to add a new section to the Penal Code, to be known and numbered as section three hundred and nineteen, relating to the renting of property for immoral purposes.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 98—An Act to amend sections fifty-five and seventy-five of the Civil Code, in relation to marriage.

Referred to Committee on Judiciary.

Also: Senate Bill No. 99—An Act to create a State Board of Mediation and Arbitration, prescribe its powers and duties, and provide for the amicable adjustment of grievances and disputes that may arise between employers and employés.

Referred to Committee on Capital and Labor.

Also: Senate Bill No. 100—An Act to amend section five hundred and forty-one of the Civil Code, relating to telegraph corporations.

Referred to Committee on Corporations.

Also: Senate Bill No. 101—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure, relating to witnesses.

Referred to Committee on Judiciary.

Also: Senate Bill No. 102—An Act to add a new article to the Civil Code, to be known as article two of chapter three of title seven of part four, relating to telephone companies.

Referred to Committee on Corportions.

By Senator McComas: Senate Bill No. 103—An Act to form Pomona County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Referred to Committee on Counties, County Government, and Township Organization.

Also: Senate Bill No. 104—An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 105—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

Also: Senate Bill No. 106—An Act to create a State Association of Irrigation Districts, and to provide for the creation of a State Board of Irrigation to manage and conduct the affairs of the same, and to define the powers and prescribe the duties of such association and such Board, and to appropriate money in support thereof.

Referred to Committee on Irrigation.

Also: Senate Bill No. 107—An Act to prevent damage from the overflow of artesian wells.

Referred to Committee on Irrigation.

Also: Senate Bill No. 108—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as section three hundred and eight, relative to the sale or furnishing of tobacco or preparations thereof to persons under sixteen years of age.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 109—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a section thereto, to be known as section one hundred and sixteen of said Act, relating to practice in township and municipal Courts.

Referred to Committee on Judiciary.

Also: Senate Bill No. 110—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a section thereto, to be known as section one thousand four hundred and sixty-two of said Act, relating to practice in township and municipal Courts.

Referred to Committee on Judiciary.

By Senator McGowan: Senate Bill No. 111—An Act to amend sec-

tions three thousand seven hundred and forty-six, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, and three thousand eight hundred of an Act to establish a Political Code, approved March 12, 1872, and to add a new section thereto, to be known and numbered as section three thousand seven hundred and fifty-seven, relative to the collection of property taxes, and providing for the payment of the same in installments.

Referred to Committee on Judiciary.

Also: Senate Bill No. 112—An Act to amend sections two hundred and seventy-five and two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to the admission of attorneys and counselors at law.

Referred to Committee on Judiciary.

Also: Senate Bill No. 113—An Act to authorize the establishment of County High Schools, and provide for their support.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No 114—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors at law.

Referred to Committee on Judiciary.

Also: Senate Bill No. 115—An Act to authorize the Adjutant-General to issue arms and accouterments to regularly organized camps of the order of Sons of Veterans, in the State of California.

Referred to Committee on Military Affairs.

Also: Senate Bill No. 116—An Act to amend section five hundred and thirty of an Act to establish a Political Code, approved March 12, 1872, relating to the office of Superintendent of State Printing, and providing for the election of such officer.

Referred to Committee on Elections.

Also: Senate Bill No. 117—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service and upon the public works of the State of California of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

Referred to Committee on Military Affairs.

Also: Senate Bill No. 118—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Referred to Committee on Judiciary.

Also: Senate Bill No. 119—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Referred to Committee on Judiciary.

Also: Senate Bill No. 120—An Act to amend section one hundred and seventy-two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the husband's control and disposition of the community property.

Referred to Committee on Judiciary.

Also: Senate Bill No. 121—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Referred to Committee on Corporations.

Also: Senate Bill No. 122—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the obligations of coterminous owners and others claiming interest or rights in land, and providing for the construction and maintenance of division fences.

Referred to Committee on Judiciary.

By Senator Ostrom (at request of Senator Langford): Senate Bill No. 123—An Act to provide for the conduct of elections, and to more fully secure the independence of electors and the secrecy of the ballot.

Referred to Committee on Elections.

By Senator Dray: Senate Bill No. 124—An Act to amend section one hundred and three of the Code of Civil Procedure, relating to Justice s Courts.

Referred to Committee on Judiciary.

By Senator Ostrom: Senate Bill No. 125—An Act to amend section three thousand nine hundred and twenty-six of the Political Code, relating to the bounding of Sutter County.

Referred to Committee on Counties, County Government, and Township Organization.

Also: Senate Bill No. 126—An Act making an appropriation for the purchase of jute machinery, and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Ragsdale: Senate Bill No. 127—An Act to provide for the levy and collection of taxes by and for school districts, except in municipal corporations of the first class.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 128—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 129—An Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-two, three thousand seven hundred and sixty-four, and three thousand seven hundred and ninety-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add a new section to said Act, to be known as section three thousand seven hundred and fifty-seven, relating to revenue and the payment of taxes on real property in installments.

Referred to Committee on Judiciary.

Also: Senate Bill No. 130—An Act to authorize and direct the sale of the site and buildings of the California Home for the Care and Training of Feeble-Minded Children in Santa Clara County.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 131—An Act to provide for the erection of additional buildings for the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Seawell: Senate Bill No. 132—An Act appropriating the sum of one hundred and eighty-four thousand nine hundred dollars for the erection of additional buildings for the Mendocino State Asylum for the Insane, to complete buildings now being erected, to appropriate money therefor, and to provide for the expenditure of the same.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 133—An Act to amend an Act entitled "An Act to amend an Act entitled an Act to protect and promote horticultural interests of the State," approved March 19, 1889.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

Also: Senate Bill No. 134—An Act to amend sections one thousand one hundred and eighty-seven and one thousand one hundred and eighty-nine, and to repeal sections one thousand one hundred and eighty-six and one thousand one hundred and ninety-one of the Civil Code, relating to the recording and the acknowledgment of transfers.

Referred to Committee on Judiciary.

Also: Senate Bill No. 135—An Act to amend sections one thousand three hundred and five, one thousand three hundred and seventy-three, one thousand five hundred and fifty-two, one thousand six hundred and thirty-three, and one thousand six hundred and thirty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to estates of deceased persons.

Referred to Committee on Judiciary.

By Senator Simpson: Senate Bill No. 136—An Act to amend section seven hundred and ninety-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Education and Public Morals.

By Senator Streeter: Senate Bill No. 137—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Judiciary.

Also: Senate Bill No. 138—An Act limiting the time in which an action to set aside, annul, or vacate the charter of any city, city and county, or town, can be maintained to six months.

Referred to Committee on Judiciary.

Also: Senate Bill No. 139—An Act to amend sections one thousand and ninety-four, one thousand and ninety-six, one thousand and ninety-seven, one thousand one hundred and thirteen, and one thousand one hundred and fifteen, and to repeal sections one thousand and ninety-

eight, one thousand and ninety-nine, one thousand one hundred and one, one thousand one hundred and two, and one thousand one hundred and three of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to elections.

Referred to Committee on Elections.

By Senator Welch: Senate Bill No. 140—An Act to regulate the use of meters used in the sale, rental, or distribution of water supplied to cities and counties, cities, or towns, and to the inhabitants thereof.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 141—An Act to amend sections two thousand four hundred and fifty-seven, two thousand four hundred and sixty-four, two thousand four hundred and sixty-five, and two thousand four hundred and sixty-six of the Political Code, relating to pilots and pilot regulations.

Referred to Committee on Commerce and Navigation.

By Senator W. H. Williams: Senate Bill No. 142—An Act to add a new section to the Penal Code, relative to the prohibition and prevention of the use of all acids or solutions of acids in the manufacture of hermetically sealed tin cans used for canning purposes, to be known as section two hundred and forty-six.

Referred to Committee on Hospitals.

Also: Senate Bill No. 143—An Act authorizing and requiring Boards or Commissions having the management and control of paid police forces to grant the members thereof yearly vacations.

Referred to Committee on City, City and County, and Town Governments.

By Senator G. H. Williams: Senate Bill No. 144—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Referred to Committee on Judiciary.

Also: Senate Bill No. 145—An Act for the relief of Cornelius Lynch for personal injuries received by him while in the service of the State.

Referred to Committee on Claims.

By Senator Wilson: Senate Bill No. 146—An Act to amend section one thousand four hundred and one of the Civil Code, relating to the disposition of community property on the death of the husband or wife, and to repeal section one thousand four hundred and two of said Code.

Referred to Committee on Judiciary.

By Senator Banks: Senate Bill No. 147—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure, as amended March 18, 1885, relating to liens of mechanics and others.

Referred to Committee on Judiciary.

Also: Senate Bill No. 148—An Act to provide for the construction and furnishing of a kitchen and dining-room at the Napa State Asylum for the Insane, and making an appropriation therefor.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Sprague (by request): Senate Bill No. 149—An Act to amend section seven hundred and ninety-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on City, City and County, and Town Governments.

Also (by request): Senate Bill No. 150—An Act to appropriate money for the completion of the building of the State Normal School at Chico.

Referred to Committee on Public Buildings other than Prison Buildings.

RESOLUTION—(OUT OF ORDER).

By Senator Britt:

Resolved, That two members be added to the Special Committee on Conference appointed under the resolution of Senator Preston, to confer with the Secretary of State in reference to the advisability of completing the vault for the storage of the archives of the State in the basement of this building, with instructions to report in writing to this Senate on Friday, January sixteenth, at eleven o'clock and thirty minutes A. M.

Adopted.

INTRODUCTION OF BILLS—(RESUMED).

By Senator McComas: Senate Bill No. 151—An Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State," approved March 14, 1881, as amended by chapter two hundred and sixty-five of the laws of 1889, approved March 19, 1889.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

By Senator Campbell of Solano: Senate Bill No. 152—An Act to regulate the heating of steam passenger cars, and to provide for the placing of guards and guard-posts on railroad bridges and trestles and the approaches thereto.

Referred to Committee on Corporations.

Also: Senate Bill No. 153—An Act to provide fire-escapes in hotels.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 154—An Act authorizing school districts, cities, cities and counties, or incorporated towns in the State of California, to furnish the pupils of their respective public schools with free use of school text-books.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 155—An Act to amend an Act entitled "An Act amendatory of an Act entitled an Act for the better protection of the stockholders in corporations formed under the laws of the State of California, for the purpose of carrying on and conducting the business of mining," approved March 30, 1874, in effect April 23, 1880.

Referred to Committee on Mines, Drainage, and Mining Debris.

Also: Senate Bill No. 156—An Act to amend sections three hundred and seven, three hundred and twelve, and three hundred and fourteen of the Civil Code.

Referred to Committee on Mines, Drainage, and Mining Debris.

Also: Senate Bill No. 157—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relating to mortgages of personal property.

Referred to Committee on Judiciary.

Also: Senate Bill No. 158—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relating to mortgages of personal property.

Referred to Committee on Judiciary.

Also: Senate Bill No. 159—An Act to amend section one thousand nine hundred and eighteen of the Civil Code, relating to interest.

Referred to Committee on Judiciary.

Also: Senate Bill No. 160—An Act to amend section one thousand nine hundred and eighteen of the Civil Code, relating to interest.

Referred to Committee on Judiciary.

ANNOUNCEMENT.

President pro tem. Fraser announced that he had received the statement of contest and depositions in the contested election case of P. J. Murphy, contestant, vs. J. H. Mahoney, for the office of member of the Senate from the Twenty-fourth Senatorial District.

RESOLUTIONS.

The following resolution was offered by Senator R. H. Campbell:

Resolved, That the Sergeant-at-Arms be directed to prevent the sale or use of spirituous liquors in those rooms and offices of the Capitol building under the control of the Senate.

Senator G. J. Campbell moved to lay the resolution on the table.

Senators Ostrom, Campbell of Siskiyou, and W. H. Williams asked for the ayes and noes, and the motion was lost by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Campbell of Solano, Carpenter, Dargie, De Long, Denison, Flint, Hamill, Welch, Williams (Wm. H.), and Williams (Geo. H.)—13.
NOES—Messrs. Bailey, Berry, Campbell of Siskiyou, Crandall, Dray, Everett, Fraser, Harp, Heacock, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Streeter, Voorhies, and Wilson—20.

Senator Carpenter moved to refer the resolution to the Committee on Public Buildings other than Prison Buildings.

Senator R. H. Campbell then moved the adoption of the resolution.

Senators Berry, Williams, and Ostrom asked for the ayes and noes, and Senator Carpenter's motion was adopted by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Maher, Mahoney, Ragsdale, Simpson, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—18.
NOES—Messrs. Bailey, Berry, Dray, Fraser, Hamill, Harp, Heacock, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Streeter, Voorhies, and Wilson—16.

Senator Carpenter offered the following resolution, out of order:

Resolved, That Fred. Ankener be and he is hereby appointed an extra Page of the Senate, at the per diem of three dollars, the same to be paid out of the Contingent Fund of the Senate.

Adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (Wm. H.)—32.
NOES—Messrs. Berry, Harp, Ostrom, and Wilson—4.

Senator Dargie offered the following resolution, out of order:

Resolved, That Webster Lang be and he is hereby appointed Porter to the Sergeant-at-Arms, at the per diem of four dollars, the same to be paid out of the Contingent Fund of the Senate.

Adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou Carpenter, Crandall, Dargie, De Long, Denison, Everett, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Wilson—27.
NOES—Messrs. Berry, Harp, Mead, and Ostrom—4.

Senator R. H. Campbell offered the following resolution:

Resolved, That Miss Agnes Vance, Assistant Postmistress, is hereby appointed Assistant Janitress of the Senate in connection with her duties as Postmistress, at a per diem of one dollar, payable out of the Contingent Fund of the Senate.

Adopted by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Fraser, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—29.
NOES—Messrs. Berry, Goucher, Harp, and Ostrom—4.

President pro tem. Fraser announced as additional members of the Committee on Conference, Senators Britt and Preston.

BALLOTING FOR UNITED STATES SENATOR.

Senator Heacock offered the following resolution:

Resolved, That the Senate do now proceed to name, by viva voce vote, a person for Senator in Congress from the State of California for the term of six years, beginning March 4, 1891, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866.

Adopted.

President pro tem. Fraser then directed the Secretary to read the Act of Congress, as follows:

Title two, chapter one, United States Revised Statutes—An Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866.

SECTION 14. The Legislature of each State, which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

SEC. 15. Such election shall be conducted in the following manner: Each House shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for, who received a majority of the whole number of votes cast in each House, shall be entered on the Journal of that House by the Clerk or Secretary thereof, or if either of them fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock M. of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in joint assembly, and the Journal of each House shall then be read, and if the same person has received a majority of all the votes in each House, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes of each House, or if either House has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a viva voce vote of each member present, a person for Senator, and the person who receives the majority of all the votes of the joint assembly, a majority of all the members elected to both Houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the joint assembly shall meet at twelve o'clock M. of each succeeding day during the session of the Legislature, and shall take at least one vote until a Senator is elected.

SEC. 16. Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State, a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized and has notice of such vacancy.

SEC. 18. It shall be the duty of the Executive of the State from which any Senator has been chosen, to certify his election, under the seal of the State, to the President of the Senate of the United States.

SEC. 19. The certificate mentioned in the preceding section shall be countersigned by the Secretary of State of the State.

Senator Crandall moved a call of the Senate.

So ordered.

Roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

On motion of Senator Crandall, further proceedings under the call of the Senate were dispensed with.

On motion of Senator Heacock, the hour of recess was continued until after the vote for United States Senator be taken.

President pro tem. Fraser announced that nominations were now in order for a United States Senator for the term of six years from March 4, 1891.

Senator Dray nominated the Hon. Leland Stanford.

Senators Bailey, Crandall, and Carpenter seconded the nomination.

Senator Goucher nominated the Hon. Stephen M. White.

Senator Seawell seconded the nomination.

President pro tem. Fraser declared nominations closed, and in accordance with the requirements of the section of the Act above quoted, the Secretary called the roll of the Senate, and each Senator announced the name of the person for whom he voted, as follows:

For Stanford—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—27.

For White—Messrs. Berry, Britt, Goucher, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, Williams (Wm. H.), and Wilson—12.

Whole number of votes cast	39
Hon. Leland Stanford received	27
Hon. Stephen M. White received	12

Senator Goucher announced the absence of Senator Langford, and stated that the gentleman would have voted for Stephen M. White had he been present.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted the following resolution:

Resolved, That the Clerk forthwith inform the Senate of the vote for United States Senator in this House, and that the Senate be requested to meet in the Assembly Chamber to-morrow, Wednesday, January 14, 1891, at twelve o'clock meridian, in joint assembly, for the purpose of electing, or declaring the election of a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866.

Also: That in compliance with said Act of Congress, the Assembly has this day voted for a person for United States Senator in Congress from California, for the term of six years, beginning March 4, 1891, with the following result:

Total number of votes cast	78
Of which number Hon. Leland Stanford received	59
Hon. Stephen M. White received	18
And Hon. Ben. Morgan received	1

H. A. MASON, Clerk.

The following resolution was offered by Senator Heacock:

Resolved, That the Secretary forthwith inform the Assembly of the vote for United States Senator in this Senate, and that the Senate will meet with the Assembly, in the Assembly Chamber, to-morrow, Wednesday, January 14, 1891, at twelve o'clock meridian, in joint assembly, for the purpose of electing, or declaring the election of a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866.

Adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Senator Hamill: Senate Bill No. 161—An Act to amend an Act entitled "An Act to limit and fix the rates of fares on street railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878.

Referred to Committee on Corporations.

By Senator Dray: Senate Bill No. 162—An Act to determine that lands of this State are swamp and overflowed when returned as such by the United States Surveyor-General.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Britt (by request): Senate Bill No. 163—An Act to authorize Boards of Health and Health Officers in cities, and cities and counties in this State, to appoint Inspectors of Plumbing and Drainage in such cities, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

Referred to Committee on Hospitals.

By Senator Maher: Senate Bill No. 164—An Act to authorize the Board of State Harbor Commissioners to pay the claim of Michael Creed.

Referred to Committee on Claims.

By Senator Campbell of Solano: Senate Bill No. 165—An Act to add two new sections to chapter ten of the Penal Code, to be known and numbered as sections three hundred and thirty-seven and three hundred and thirty-eight, relative to the selling of pools on horse races.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 166—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code of the State of California.

Referred to Committee on Corporations.

Also: Senate Bill No. 167—An Act to make train wrecking a capital offense.

Referred to Committee on Judiciary.

Also: Senate Bill No. 168—An Act regulating the charges of telephone companies, and of corporations and individuals operating telephones and telephone lines.

Referred to Committee on Corporations.

By Senator McGowan: Senate Bill No. 169—An Act to create a Board of State Harbor Commissioners for Humboldt Bay, to provide for the appointment of such Commissioners, and to define their duties.

Referred to Committee on Commerce and Navigation.

By Senator Flint: Senate Bill No. 170—An Act making an appropriation to pay the claims of Charles F. Reed, C. E. Grunsky, and J. J. Crawford, for expenses incurred as members of the Examining Commission on Rivers and Harbors.

Referred to Committee on Claims.

By Senator Berry: Senate Bill No. 171—An Act to amend subdivision twenty-three of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, which subdivision provides for advertising for bids for stationery for the use of the county and its officers, and provides the method of procuring blank books, job printing, and other supplies necessary for the use of the county and its officers.

Referred to Committee on Counties, County Government, and Township Organization.

By Senator McGowan: Senate Bill No. 172—An Act to appropriate the sum of four hundred and fifty-eight dollars and sixty-five cents to pay the claim of William H. Murphy, for money illegally paid the State of California.

Referred to Committee on Claims.

By Senator Everett: Senate Bill No. 173—An Act to add a new section to "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, to be known as section eight hundred and eighty-seven, relating to illegal salaries and fees.

Referred to Committee on Judiciary.

By Senator Hamill: Senate Bill No. 174—An Act to provide for the refunding of money held by gas companies, or persons or companies supplying gas as security for gas meters, and to provide a penalty for violations of this Act.

Referred to Committee on Corporations.

Also: Senate Bill No. 175—An Act to compel persons, companies, or corporations supplying gas to any city, city and county, or town, or to the inhabitants thereof, to supply gas to any person desiring the same; to provide for the connecting of gas meters, and to provide a penalty for violating the provisions of this Act.

Referred to Committee on Corporations.

By Senator Goucher: Senate Bill No. 176—An Act to ascertain and express the will of the people of the State of California upon the subject of election of United States Senators.

Referred to Committee on Federal Relations.

By Senator Denison: Senate Bill No. 177—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand inhabitants and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885, in relation to the duties and salary of Clerks of said Police Courts.

Referred to Committee on Judiciary.

INTRODUCTION OF JOINT RESOLUTION—(OUT OF ORDER).

By Senator Campbell of Solano—Relative to the erection of a gun factory at Benicia for finishing and assembling high power guns.

Senator Streeter introduced the following resolution:

Resolved, That the subject of horticulture be added to the duties of the Committee on Agriculture.

Adopted.

INTRODUCTION OF SENATE CONSTITUTIONAL AMENDMENTS.

By Senator Carpenter: Senate Constitutional Amendment No. 1—To propose to the people of the State an amendment to the Constitution of the State, relative to the taxation of mortages and deeds of trust.

Referred to Committee on Constitutional Amendments.

By Senator Dargie: Constitutional Amendment No. 2—To amend section eighteen of article eleven of the Constitution, relative to the increasing of indebtedness or liability by any county, city, town, township, Board of Education, or school district.

Referred to Committee on Judiciary.

By Senator Goucher: Constitutional Amendment No. 3—A resolution to prepare an amendment to section nine of article one of the Constitution of California, relating to the freedom of speech and of the press.

Referred to Committee on Constitutional Amendments.

By Senator Heacock: Constitutional Amendment No. 4—To propose that section eighteen of article eleven of the Constitution of the State of California be amended, relative to taxation and income of any county, city, town, township, Board of Education, or school district.

Referred to Committee on Judiciary.

By Senator Campbell of Solano: Constitutional Amendment No. 5—An amendment to section seven of article nine thereof, relating to the State Board of Education, compiling, printing, and distribution of textbooks for the public schools of the State, and providing for County Boards of Education.

Referred to Committee on Constitutional Amendments.

By Senator Britt: Constitutional Amendment No. 6—To propose an amendment to section eleven of article six of the Constitution of the State of California, relative to the jurisdiction of Justices of the Peace.

Referred to Committee on Constitutional Amendments.

By Senator Dray: Constitutional Amendment No. 7—To propose to the people of the State an amendment to the Constitution of the State relative to poll tax.

Referred to Committee on Constitutional Amendments.

By Senator Heacock: Constitutional Amendment No. 8—To propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article seven thereof, relative to the pardoning power.

Referred to Committee on Judiciary.

INTRODUCTION OF CONCURRENT RESOLUTION.

By Senator Ostrom: Concurrent Resolution No. 2—Relative to the election of United States Senator.

Referred to Committee on Federal Relations.

On motion of Senator Heacock, the Assembly message containing the concurrent resolution relative to the election of United States Senator was taken up, and the resolution was concurred in by the Senate.

RECESS.

At twelve o'clock and forty-five minutes P. M., the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.
President pro tem. Fraser in the chair.
Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

SENATE JOINT RESOLUTION.

Senator McGowan introduced Senate Joint Resolution No. 1—Relative to United States Senate Bill No. 8150.
Referred to Committee on Federal Relations.

RESOLUTIONS.

Senator Heacock offered the following resolution:

Resolved, That the Postmistress be and she is hereby instructed to keep the Senate Post Office open until nine o'clock and thirty minutes each evening, except Sunday.

Adopted.
Senator Preston offered the following resolution:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby directed to detail one or more Pages to be on duty in the Senate Chamber during the recess of the Senate, between the hours of nine o'clock and thirty minutes A. M. and ten o'clock and thirty minutes P. M. of each day of the week, Sundays excepted.

Adopted.
Senator Dray moved to adjourn.
Lost.
Senator Heacock introduced the following resolution:

Resolved, That the Chairman of each of the standing committees of the Senate be and he is hereby authorized to appoint a clerk for the committee of which he is Chairman, at a per diem of five dollars, to be paid out of the Contingent Fund of the Senate; *provided*, that the Judiciary Committee be allowed two clerks at a per diem of eight dollars each, to be paid out of the Contingent Fund of the Senate.

Adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Seawell, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—Messrs. Berry, Harp, Mead, Ostrom, and Wilson—5.

Senator G. J. Campbell offered the following resolution:

Resolved, That when any committee clerk has been appointed by the Chairman of the committee, notice of such appointment shall be given in writing to the Secretary of the Senate, who shall notify the Sergeant-at-Arms and the Controller of State.

Adopted.

MOTION.

Senator Heacock moved that the temporary rules adopted by the Senate be referred to the Committee on Standing Rules, that committee to report a set of permanent rules.

So ordered.

RECESS.

On motion of Senator De Long, a recess was taken at two o'clock and forty minutes P. M., for half an hour.

REASSEMBLED.

At three o'clock and fifteen minutes P. M. the Senate reassembled.

President pro tem. Fraser in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Banks, Bailey, Britt, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

COMMITTEES.

The President pro tem. announced the following committees for the President of the Senate:

On Apportionment and Representation—Messrs. McComas, Chairman; Everett, Sprague, R. H. Campbell, Voorhies, Flint, Wilson, Welch, and Seawell.

On City, City and County, and Town Governments—Messrs. Dargie, Chairman; Broderick, G. J. Campbell, Sprague, Byrnes, Goucher, and Berry.

On Counties, County Government, and Township Organization—Messrs. G. J. Campbell, Chairman; Ragsdale, McGowan, Flint, De Long, Dargie, Berry, Goucher, and Britt.

On Elections—Messrs. McGowan, Chairman; Banks, Goucher, Welch, Ragsdale, McComas, and Streeter.

On Enrolled and Engrossed Bills—Messrs. Ragsdale, Chairman; Simpson, Banks, Carpenter, Hamill, Harp, and W. H. Williams.

On Federal Relations and Immigration—Messrs. Geo. H. Williams, Chairman; Fraser, Crandall, W. H. Williams, and Welch.

On Harbors, Rivers, and Coast Defenses—Messrs. Broderick, Chairman; Denison, McComas, Ostrom, and Hamill.

On Military Affairs—Messrs. Everett, Chairman; Maher, Dargie, Denison, Britt, Carpenter, and Seawell.

On Public Printing—Messrs. Streeter, Chairman; Dargie, and Hamill.

On Roads and Highways—Messrs. Bailey, Chairman; Flint, G. J. Campbell, Wilson, Geo. H. Williams, and Berry.

On State Library and Rules—Messrs. McGowan, Chairman; Seawell, and Simpson.

On State Prisons and Prison Buildings—Messrs. Preston, Chairman; Sprague, Mahoney, Flint, Voorhies, McComas, Seawell, Mead, and Berry.

On Attachés and Contingent Expenses—Messrs. Byrnes, Chairman; Maher, Broderick, Ostrom, and Wilson.

LEAVE OF ABSENCE.

Mr. Crandall was granted leave of absence for one day.

ADJOURNMENT.

On motion of Senator Mahoney, the Senate stood adjourned at three o'clock and thirty minutes P. M.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 14, 1891.

Senate met pursuant to adjournment.

President pro tem. Fraser in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

LEAVE OF ABSENCE.

Senator Preston was granted leave of absence during to-day's morning session.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

Journal of yesterday read and approved.

JOINT RESOLUTION—(OUT OF ORDER).

By Senator Ostrom:

Resolved, That when this Senate adjourn on Friday, the sixteenth, the Assembly concurring, that both Houses stand adjourned until Monday, the nineteenth instant.

Ayes and noes were called for by Senators McGowan, Mead, and Campbell of Siskiyou.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Seawell, Sprague, Voorhies, Williams (Geo. H.), and Wilson—29.

NOES—Messrs. Britt, McGowan, Simpson, Streeter, Welch, and Williams (Wm. H.)—6.

RESOLUTIONS.

By Senator Heacock:

Resolved, That the Minute Clerk furnish the minutes of each day's proceedings of the Senate direct to the State Printer for publication, and that the printed copy of the Senate Journal be read by the Secretary for approval by the Senate instead of the written Journal; and when so approved, the same be copied into the written Journal by the Journal Clerks.

Adopted.

By Senator Welch:

Resolved, That the State Controller be and he is hereby requested to draw his warrant on the State Treasury in the sum of twenty-five ($25) dollars for each Senator in compli-

ance with article four, section twenty-three, of the Constitution, the same to be paid out of the Contingent Fund of the Senate, after deducting the amount of stationery drawn on requisition by each Senator up to date.

Adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Seawell, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—30.
NOES—Messrs. Bailey, Carpenter, and Goucher—3.

PETITION.

By Senator Goucher—From citizens of Fresno and Tulare Counties, asking a change in the line dividing said counties.

Referred to Committee on Counties, County Government, and Township Organization.

REPORT OF STANDING COMMITTEE.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, January 13, 1891.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred the following resolution, viz.:

Resolved, That the Sergeant-at-Arms be directed to prevent the sale or use of spirituous liquors in those rooms and offices of the Capitol building under the control of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and the same be adopted.

BANKS, Chairman.

Adopted.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 159—An Act to authorize the Governor to employ a stenographer for his office, and to provide for the payment of his salary.

H. A. MASON, Chief Clerk.

RESOLUTION.

By Senator Carpenter:

Resolved, That Assembly Bill No. 159 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Adopted by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—28.
NOES—Messrs. Berry, Britt, Goucher, Harp, McGowan, Mead, and Ostrom—7.

FIRST, SECOND, AND THIRD READING OF BILL.

Assembly Bill No. 159—An Act to authorize the Governor to employ a stenographer for his office, and to provide for the payment of his salary.

Bill read first, second, and third times, and passed by the following vote:

Ayes—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (W. H.), Williams (Geo. H.), and Wilson—28.
Noes—Messrs. Berry, Britt, Goucher, Harp, McGowan, Mead, and Ostrom—7.

Title approved.

MOTION.

Senator De Long moved that the bill be transmitted to the Assembly forthwith.

So ordered.

RESOLUTION.

By Senator Bailey:

Resolved, That the Sergeant-at-Arms be and is hereby directed to furnish mirror, towel rack, umbrella stands, coat hooks, and wire fence for Senators' cloak-room, desk for the Clerk to the Sergeant-at-Arms, covering for shelving, locked box to keep porters' utensils in, rugs and step for the Post Office, filter for Senate Chamber, and filter for the outer room of the Sergeant-at-Arms' office, and postal scale for Mailing Clerk; all at a cost not exceeding one hundred dollars, payable out of the Contingent Fund of the Senate.

Adopted by the following vote:

Ayes—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McComas, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—24.
Noes—Messrs. Berry, Goucher, Hamill, Harp, McGowan, Mead, Ostrom, Ragsdale, Seawell, Welch, and Wilson—11.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Britt: Senate Bill No. 178—An Act to provide for the removal of electrical conductors from the surface of streets, avenues, and other highways of towns, cities, counties, and cities and counties of this State, and providing for placing the same underground.

Referred to Committee on Corporations.

Also: Senate Bill No. 179—An Act to enable towns, cities, counties, and cities and counties of this State to provide for a supply of water for the purpose of fire protection, and use of the inhabitants of such towns, cities, counties, and cities and counties, and authorizing the levy and collection of taxes therefor by them, and regulating the charge and management thereof, and providing for the construction and maintenance of waterworks, dams, reservoirs, ditches, canals, and other means to conduct, distribute, and supply each town, city, county, or city and county, and its inhabitants, with water.

Referred to Committee on Corporations.

Also: Senate Bill No. 180—An Act relating to telegraph, telephone, electric light, and other wires, poles, and cables.

Referred to Committee on Corporations.

By Senator Goucher: Senate Bill No. 181—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as section eight hundred and eleven thereof.

Referred to Committee on Judiciary.

Also: Senate Bill No. 182—An Act to amend section four hundred of the Civil Code of the State of California.

Referred to Committee on Judiciary.

Also: Senate Bill No. 183—An Act to amend section eight hundred and nine of the Code of Civil Procedure of the State of California.

Referred to Committee on Judiciary.

Also: Senate Bill No. 184—An Act to amend section two hundred and ninety-two of the Civil Code of the State of California.

Referred to Committee on Judiciary

Also: Senate Bill No. 185—An Act to amend section five hundred and sixty-five of the Code of Civil Procedure of the State of California.

Referred to Committee on Judiciary.

By Senator Hamill: Senate Bill No. 186—An Act to provide for accurate meters or other instruments or devices used to measure or weigh the water sold, rented, or supplied to cities and counties, cities and towns, or to the inhabitants thereof; to regulate the furnishing and use of such meters, or other instruments or devices, and to provide a penalty for a violation of this Act.

Referred to Committee on Corporations.

By Senator Mahoney: Senate Bill No. 187—An Act to amend sections three hundred and thirty-two and three hundred and forty-two of the Civil Code, relative to assessments and the sale of the stock of corporations.

Referred to Committee on Judiciary.

Also: Senate Bill No. 188—An Act to amend section six hundred and sixteen of the Political Code, relating to insurance companies.

Referred to Committee on Judiciary.

Also: Senate Bill No. 189—An Act for the better protection of the stockholders in corporations doing business in the State of California, formed for any purpose whatsoever.

Referred to Committee on Judiciary.

Also: Senate Bill No. 190—An Act to amend sections three hundred and seven and three hundred and twelve of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the better protection of stockholders of corporations, and providing a penalty for the violation of the provisions thereof.

Referred to Committee on Judiciary.

By Senator Sprague: Senate Bill No. 191—An Act to amend section three hundred and twenty-one of the Penal Code of California, prohibiting the sale or other disposition of lottery tickets, and providing the punishment therefor.

Referred to Committee on Judiciary.

Also: Senate Bill No. 192—An Act amendatory of and supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for distribution of water thereby for irrigation purposes," approved March 7, 1887, and providing for the dissolution and disorganization of irrigation districts organized under said Act.

Referred to Committee on Irrigation and Water Rights.

By Senator Mead: Senate Bill No. 193—An Act to amend section eleven of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, so as to create an additional district.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

By Senator Maher: Senate Bill No. 194—An Act to provide for organizing, establishing, and maintaining a Paid Fire Department within municipalities in the State of California, to be under the supervision and control of a Board of Fire Commissioners.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 195—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 19, 1885, and to add a new section thereto, to be called section thirty-eight, relating to the change of grades of public streets, avenues, and places within municipalities.

Referred to Committee on City, City and County, and Town Governments.

By Senator Dray: Senate Bill No. 196—An Act to provide for the removal of the old wooden fence, sidewalks, and curb from the State Capitol grounds, located at Sacramento, and have constructed in their stead a granite post and chain fence, a concrete sidewalk, and granite curb, and to appropriate money therefor.

Referred to Committee on Public Buildings other than State Prisons.

Also: Senate Bill No. 197—An Act to provide for the completion of the ten tiers of granite steps in the State Capitol grounds, located at Sacramento, and to appropriate money therefor.

Referred to Committee on Public Buildings other than State Prisons.

By Senator McComas: Senate Bill No. 198—An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

By Senator Dargie: Senate Bill No. 199—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

Referred to Committee on Judiciary.

By Senator Broderick: Senate Bill No. 200—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuation of administration upon the estates of deceased persons.

Referred to Committee on Judiciary.

Also: Senate Bill No. 201—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand five hundred and ninety-two, relating to mortgages by executors of real property belonging to the estates of decedents.

Referred to Committee on Judiciary.

By Senator Byrnes: Senate Bill No. 202—An Act to authorize the Governor and Surveyor-General to sell and convey the State's interest in certain lands.

Referred to Committee on Judiciary.

By Senator Heacock: Senate Bill No. 203—An Act making an appropriation to pay the necessary expenses of the committee appointed by the State of California to the World's Fair at Paris in 1890.

Referred to Committee on Claims.

By Senator Simpson: Senate Bill No. 204—An Act to provide for a depository for the county funds, and to regulate the same.

Referred to Committee on Judiciary.

RESOLUTION.

By Senator McGowan:

Resolved, That the State Printer be instructed to print and return to the Senate fifty copies of Assembly Bills Nos. 1 to 107, inclusive, and Assembly Joint Resolutions and Assembly Constitutional Amendments to date, January 13, 1891.

Adopted.

RESIGNATION.

The following resignation was read:

To the President of the Senate of the State of California:

DEAR SIR: I do hereby tender my resignation as Second Assistant Sergeant-at-Arms, owing to sickness, and request that the same take effect immediately.

Very respectfully,

JOHN A. HOEY.

Resignation accepted.

RESOLUTION.

By Senator Broderick:

Resolved, That John Devine be and is hereby appointed Second Assistant Sergeant-at-Arms, at the per diem of six dollars, the same to be paid out of the Contingent Fund of the Senate.

Adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Ragsdale, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H)—27.

NOES—Messrs. Berry, Goucher, Harp, Mead, Ostrom, and Wilson—6.

NOTIFICATION FROM ASSEMBLY.

A committee from the Assembly notified the Senate that it was ready to meet in joint session for the purpose of electing a United States Senator; whereupon the President pro tem., at eleven o'clock and fifty-five minutes A. M., declared a recess for the object above stated, and until the joint session adjourned.

At eleven o'clock and fifty-eight minutes A. M., the Senators proceeded in a body to meet the House in Joint Assembly, for the purpose of electing a United States Senator.

IN JOINT ASSEMBLY.

WEDNESDAY, January 14, 1891.

The hour of twelve o'clock meridian having arrived, the Sergeant-at-Arms announced that the members of the Senate were at the bar of the House.

The Senate and Assembly then went into joint session for the purpose of electing a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner for holding elections for Senators in Congress," approved July 25, 1866.

President pro tem. of the Senate, Hon. Thomas Fraser, in conjunction with the Hon. F. L. Coombs, Speaker of the Assembly, presiding.

The roll of the Senate was then called by the Secretary, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams, (Wm. H.), Williams (Geo. H.), and Wilson.

The roll of the Assembly was called by the Chief Clerk, and the following members answered to their names:

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jackson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Matlock, Mathews, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Wolfskill, Young, and Mr. Speaker.

Quorum present.

The President of the Senate directed the Secretary of the Senate to read the Act of Congress requiring a Joint Assembly to be held this day, as follows:

Title two, chapter one, United States Revised Statutes—An Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866.

SECTION 14. The Legislature of each State, which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

SEC. 15. Such election shall be conducted in the following manner: Each House shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for, who received a majority of the whole number of votes cast in each House, shall be entered on the Journal of that House by the Clerk or Secretary thereof, or if either of them fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock M. of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in joint assembly, and the Journal of each House shall then be read, and if the same person has received a majority of all the votes in each House, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes of each House, or if either House has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a viva voce vote of each member present, a person for Senator, and the person who receives the majority of all the votes of the joint assembly, a majority of all the members elected to both Houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the joint assembly shall meet at twelve o'clock M. of each succeeding day during the session of the Legislature, and shall take at least one vote until a Senator is elected.

SEC. 16. Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State, a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized and has notice of such vacancy.

SEC. 18. It shall be the duty of the Executive of the State from which any Senator has been chosen, to certify his election, under the seal of the State, to the President of the Senate of the United States.

SEC. 19. The certificate mentioned in the preceding section shall be countersigned by the Secretary of State of the State.

The Secretary of the Senate then read from the Journal of the Senate so much of the proceedings of yesterday, which was the second Tuesday after organization of the twenty-ninth session, as relates to the election of United States Senator for the term of six years, beginning March 4, 1891, whereby it appears that thirty-nine Senators were present, and voted each for his choice, and that the Hon. Leland Stanford

had received twenty-seven votes, and the Hon. Stephen M. White had received twelve votes.

The President pro tem. of the Senate then announced that it appeared from the reading of the Journal of the Senate that the Hon. Leland Stanford had received a majority of the votes of the Senate, and declared him the choice of the Senate for United States Senator, for the term of six years, commencing the fourth day of March, 1891.

The Chief Clerk of the Assembly then read from the Journal of the Assembly so much of the proceedings of yesterday, which was the second Tuesday after the organization of the twenty-ninth session, as relates to the election of a United States Senator, for the term of six years, beginning March 4, 1891, whereby it appears that seventy-eight members of the Assembly were present, and voted each for his choice, and that Hon. Leland Stanford had received fifty-nine votes, and that Hon. Stephen M. White had received eighteen votes, and that Hon. Ben. Morgan had received one vote.

The Speaker then announced that it appeared from the reading of the Journal of the Assembly, that Hon. Leland Stanford had received a majority of the votes of the whole House, and declared him the choice of the Assembly for United States Senator, for the term of six years, commencing the fourth of March, A. D. 1891.

The President pro tem. of the Senate, Thomas Fraser, then declared as follows: It appearing from the Journals of the Senate and Assembly, as read in Joint Assembly, that Hon. Leland Stanford having received a majority of all the votes of the Senate and a majority of all the votes of the Assembly, I therefore declare Hon. Leland Stanford duly elected United States Senator in the Congress of the United States, from the State of California, for the term of six years, commencing March 4, 1891.

RESOLUTION.

By Senator Heacock:

Resolved, That the Secretary of the Senate and Clerk of the Assembly be and they are hereby directed to prepare and transmit forthwith to the Governor of the State of California, a copy of the proceedings of this Joint Assembly, pertaining to the election of a person to the United States Senate in Congress from California, for the term of six years, beginning March 4, 1891, in accordance with an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and that said copy be attested by the President and Secretary of the Senate, and the Speaker and Clerk of the Assembly.

Adopted.

The Journal of the proceedings in Joint Convention were read and approved.

At twelve o'clock and twenty minutes P. M., Speaker Coombs of the Joint Assembly announced that both Houses having performed their duties regarding the election of a United States Senator, are now dissolved.

THOMAS FRASER, President pro tem. of the Senate.
F. J. BRANDON, Secretary of the Senate.
F. L. COOMBS, Speaker of the Assembly.
H. A. MASON, Chief Clerk of the Assembly.

REASSEMBLED.

At twelve o'clock and forty minutes P. M. the Senate reassembled. President pro tem. Fraser in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

RECESS.

The hour for recess having arrived, the President pro tem., at twelve o'clock and forty-three minutes P. M., declared a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and forty minutes P. M. the Senate reassembled.

President pro tem. Fraser in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

CONCURRENT RESOLUTION.

By Senator Heacock:

Resolved by the Senate, the Assembly concurring, That the Secretary of the Senate and Clerk of the Assembly be and they are hereby directed to prepare and transmit forthwith to the Governor of the State of California, a copy of the proceedings of the joint assembly pertaining to the election of a person to the United States Senate in Congress from California, for the term of six years, beginning March 4, 1891, in accordance with an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and that said copy be attested by the President and Secretary of the Senate, and the Speaker and Clerk of the Assembly.

Adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Senator Goucher (by request): Senate Bill No. 205—An Act amending section six hundred and forty-seven of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also (by request): Senate Bill No. 206—An Act amending section eight hundred and one of the Penal Code.

Referred to Committee on Judiciary.

REPORT OF COMMITTEE ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 14, 1891.

MR. PRESIDENT: Your Committee on Attaches, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That no demand or requisition upon the Secretary of State for supplies of any kind for any committee of the Senate be allowed or filled, unless such demand or requisition is first approved by at least two members of the Committee on Contingent Expenses and Mileage and Attachés.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended.

BYRNES, Chairman.

Adopted.

ADJOURNMENT.

On motion of Senator Heacock, the Senate at two o'clock and two minutes P. M. adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, January 15, 1891.

The Senate met pursuant to adjournment.

President pro tem. Fraser in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

Journal of yesterday read, corrected, and approved.

The President pro tem. announced that the papers in connection with the Murphy-Mahoney contested election case would be filed with the Secretary, to be delivered to the Chairman of Committee on Elections.

RESOLUTION—(OUT OF ORDER).

By Senator Heacock:

Resolved, That Senate Bill No. 207 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first and second times, upon one day, and placed upon its passage.

Senate Bill No. 207—An Act to amend sections two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of the Political Code of the State of California, and to repeal sections two hundred and forty-eight and two hundred and forty-nine of said Code—read for information.

Roll called, and rules suspended, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Preston, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.

NOES—Messrs. Berry, Goucher, Harp, Ostrom, and Wilson—5.

FIRST READING OF BILL—(OUT OF ORDER).

Senate Bill No. 207—An Act to amend sections two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of the Political Code of the State of California, and to repeal sections two hundred and forty-eight and two hundred and forty-nine of said Code.

Read first time, and on motion of Senator Ostrom, referred to Committee on Judiciary, who are instructed to report back immediately after to-morrow's reading of the Journal.

The Secretary was instructed to request the State Printer to print said bill forthwith.

COMMUNICATION.

SENATE CHAMBER, SACRAMENTO, January 13, 1891.

MR. PRESIDENT: Your Committee on Public Buildings other than State Prisons, at a meeting held January 14, 1891, of said committee, respectfully request the permission of the Senate to visit the California Hospital for Chronic Insane at Agnews, during the adjournment of the Senate from Friday, the sixteenth instant, to Monday, the nineteenth of January, 1891.

Respectfully,

BANKS, Chairman.

MOTION.

Senator Banks moved that the rules be suspended and the permission granted.

Roll called, and the motion lost by the following vote :

AYES—Messrs. Bailey, Banks, Britt, Broderick, Dargie, De Long, Denison, Dray, Everett, Fraser, Hamill, Maher, Mahoney, McComas, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—Messrs. Berry, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Goucher, Harp, Heacock, Mead, Ostrom, Voorhies, and Wilson—12.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows :

By Senator De Long: Senate Bill No. 208—An Act giving the consent of the State of California to the reservation of certain lands by Congress.

Referred to Committee on Federal Relations.

By Senator Bailey: Senate Bill No. 209—An Act entitled "An Act to appropriate moneys to pay the claim of George Fetherstone for services rendered in the office of the Treasurer of State."

Referred to Committee on Claims.

By Senator Wilson: Senate Bill No. 210—An Act to create the county of Glenn, to establish the boundaries thereof, and to provide for its organization.

Referred to Committee on Counties, County Government, and Township Organization.

By Senator Ostrom: Senate Bill No. 211—An Act to create a Board of State School Book Editors, define their duties, and provide for their compensation.

Referred to Committee on Education and Public Morals.

By Senator Seawell: Senate Bill No. 212—An Act to amend section one thousand five hundred and twenty-four of the Penal Code of Cali-

fornia, designating the grounds upon which search warrants may be issued.

Referred to Committee on Judiciary.

By Senator G. H. Williams: Senate Bill No. 213—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties.

Referred to Committee on City, City and County, and Town Governments.

By Senator Banks: Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish and game.

Referred to Committee on Fish and Game.

Also: Senate Bill No. 215—An Act to authorize the Board of Fish Commissioners of this State to purchase the land on which the State Fish Hatcheries at Sisson and Lake Tahoe are now situated, and appropriating money therefor.

Referred to Committee on Fish and Game.

Also: Senate Bill No. 216—An Act to prevent the destruction of young fish in millraces, irrigating ditches, flumes, and canals.

Referred to Committee on Fish and Game.

Also: Senate Bill No. 217—An Act to authorize the Board of Fish Commissioners of this State to establish a trout hatchery at or near the city of San Francisco, and making an appropriation therefor.

Referred to Committee on Fish and Game.

By Senator Carpenter: Senate Bill No. 218—An Act to amend section one thousand four hundred and sixty-eight of the Penal Code, relating to the filing and settlement on appeal from Justice's or Police Courts.

Referred to Committee on Judiciary.

Also: Senate Bill No. 219—An Act to amend section six hundred and eighty-nine of the Penal Code, relating to the right of a trial by jury.

Referred to Committee on Judiciary.

By Senator Seawell: Senate Bill No. 220—An Act authorizing Boards of Supervisors of the several counties to grant compensation to corporations or persons owning a toll road for improvements thereon constructed after the franchise has expired.

Referred to Committee on Counties, County Government, and Township Organization.

By Senator Britt: Senate Bill No. 221—An Act to appropriate money to pay the claim of Max Gumpel for services rendered to the State as an expert during the trial of John S. Gray.

Referred to Committee on Claims.

By Senator Simpson: Senate Bill No. 222—An Act requiring every person, company, or corporation supplying water to any municipality, or the inhabitants thereof, in the State of California, to construct water mains where, and of the size designated by the governing body of the municipality, and to furnish water where designated upon demand and payment of rates as long as the supply is sufficient, and prescribing a penalty for non-compliance.

Referred to Committee on Corporations.

By Senator McGowan: Senate Bill No. 223—An Act to amend sections two hundred and eighty-six, three hundred and fifty-four, and three

hundred and sixty of the Civil Code, relating to the powers of corporations.

Referred to Committee on Corporations.

Also: Senate Bill No. 224—An Act to amend sections fifty-eight and seven hundred and ninety-two of the Political Code so as to authorize the appointment of women as Notaries Public.

Referred to Committee on Judiciary.

Also: Senate Bill No. 225—An Act to amend an Act entitled "An Act for the protection of preëmption and homestead claimants," approved March 23, 1874.

Referred to Committee on Judiciary.

Also: Senate Bill No. 226—An Act to add an additional section to the Civil Code, to be numbered and known as section five hundred and fifty-three, relating to water and canal corporations.

Referred to Committee on Corporations.

By Senator Heacock: Senate Bill No. 227—An Act entitled an Act to add another section to the Code of Civil Procedure of the State of California, relating to incompetent persons.

Referred to Committee on Judiciary.

Also: Senate Bill No. 228—An Act to amend section two thousand six hundred and forty-two, and section two thousand six hundred and forty-four, and section two thousand six hundred and forty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to the appointment and duties of Roadmasters or Road Overseers; as amended by an Act approved March 9, 1887, and amended and approved March 19, 1889.

Referred to Committee on Counties, County Government, and Township Organization.

By Senator Crandall: Constitutional Amendment No. 9—An Act to propose to the people of the State an amendment to the Constitution of the State, relative to the judiciary.

Referred to Committee on Banks and Banking and Constitutional Amendments.

RESOLUTION.

By Senator Sprague:

Resolved, That the sum of four hundred and seventy-four and ten one hundredths ($474 10) dollars be and the same is hereby appropriated out of the contingent expenses of the Senate, to pay for forty-one sets of the pocket edition of the Codes and the freight thereon, at eleven dollars and fifty cents per set, and the State Controller is directed to draw his warrant in favor of the Secretary of State for that amount, payable out of the Contingent Fund of the Senate.

MOTION.

Senator McGowan moved to strike out "Contingent Fund of the Senate," and insert "that each member receiving same shall pay for said Codes."

SUBSTITUTE RESOLUTION.

Senator Mahoney offered the following as a substitute:

Resolved, That the Secretary of the Senate request the Secretary of State to provide for the use of the Senate, forty sets of the latest pocket edition of the Constitution and of the Codes of the State of California, the same to be returned at the end of the session to the Secretary of State.

Ayes and noes called for by Senators McGowan, Heacock, and Campbell of Siskiyou.

The roll was called, and the substitute lost by the following vote:

Ayes—Messrs. Berry, Carpenter, Goucher, Hamill, Heacock, McComas, McGowan, Mead, Ostrom, and Williams (Geo. H.)—10.

Noes—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Harp, Maher, Mahoney, Preston, Ragsdale, Seawell, Simpson, Sprague, Voorhies, Welch, and Williams (Wm. H.)—25.

The question recurring on Senator McGowan's amendment, the motion to amend was lost.

The roll was called on the adoption of the original resolution, with the following result:

Ayes—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Maher, McComas, Preston, Simpson, Sprague, Voorhies, Welch, and Williams (Wm. H.)—22.

Noes—Messrs. Berry, Carpenter, Goucher, Hamill, Harp, Heacock, Mahoney, McGowan, Mead, Ostrom, Williams (Geo. H.), and Wilson—12.

Before announcing the result, Senator Sprague moved that the words "payable out of the Contingent Fund of the Senate," be added to the resolution.

There being no objection, it was so ordered.

Whereupon, there being no objection, the President pro tem. ordered another roll call, and the resolution was adopted by the following vote:

Ayes—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Dray, Everett, Flint, Fraser, Maher, McComas, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (Wm. H.)—24.

Noes—Messrs. Berry, Carpenter, Goucher, Hamill, Harp, Heacock, Mahoney, McGowan, Mead, Ostrom, Williams (Geo. H.), and Wilson—12.

JOINT RESOLUTION.

By Senator McGowan: Joint Resolution No. 3—Relative to the establishment of a postal telegraph and an express department in connection with the postal service of the United States.

Referred to Committee on Federal Relations.

RESOLUTIONS.

By Senator Goucher:

Resolved, That the Chairman of every Senate committee be and he is hereby instructed to give notice to the author of every bill before the committee as to the time and place, where and when such bill will be considered by the committee.

Adopted.

By Senator Campbell of Solano:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to have tables in committee room number sixteen repaired at an expense not to exceed sixteen dollars, the same to be paid out of the contingent expenses of the Senate, and the Controller is directed to draw his warrant on the Treasurer for the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Preston:

Resolved, That the Sergeant-at-Arms of the Senate is hereby directed to furnish and deliver to the State Librarian four copies of each bill and concurrent resolution printed by order of the Senate.

Adopted.

By Senator Dargie:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to have the desk of the Minute Clerk of the Senate renovated and repaired, the same to be paid out of the fund for contingent expenses of the Senate, and the Controller is directed to draw his warrant for same, at a cost not to exceed six dollars.

Adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Heacock, McComas, Preston, Ragsdale, Simpson, Streeter, Voorhies, Welch, and Williams (Geo. H.)—23.

NOES—Messrs. Berry, Goucher, Hamill, Maher, McGowan, Mead, Ostrom, Seawell, and Wilson—9.

Also:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to have the tables in committee room fifty-seven renovated and repaired, the same to be paid out of the fund for contingent expenses of the Senate, and the Controller is directed to draw his warrant for the same, at a cost not to exceed twenty-five dollars.

Adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Heacock, Maher, Mahoney, McComas, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—22.

NOES—Messrs. Berry, Fraser, Hamill, Harp, Mead, Ostrom, Seawell, Welch, and Wilson—10.

COMMUNICATION.

FROM COMMITTEE ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings respectfully asks permission for a sub-committee of three of said committee to visit the Asylum for the Insane at Agnews during the adjournment of the Senate, from Friday, January sixteenth, until Monday, January nineteenth inst.

BANKS, Chairman.

On motion, permission was granted.

RESOLUTIONS.

By Senator Seawell:

Inasmuch as it appears that each of the twenty-seven Republican Senators have a clerk at a per diem of five dollars, and the twelve Democratic Senators are denied the convenience of a clerk; and, inasmuch as the Democratic Senators are not presumed to have the scholarly attainments and culture of the Republican Senators; and, inasmuch as they may be compelled to submit many minority reports, in the preparation of which the services of a clerk are essential; therefore, be it

Resolved, That each of the Democratic Senators be allowed a clerk at a per diem of three dollars, to be paid out of the Contingent Fund of the Senate.

Referred to special commmittee consisting of Senator Heacock.

By Senator Flint:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to have tables in committee room number fifteen renovated and repaired, the same to be paid out of the fund for contingent expenses, and the Controller is hereby directed to draw his warrant for the same at a cost not exceeding fifteen dollars.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

RECESS.

At twelve o'clock M., on motion, the President pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

The Senate reassembled at two o'clock P. M.

President pro tem. Fraser in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

LEAVE OF ABSENCE.

Senator Everett asked leave of absence for remainder of day.

Granted.

Senator Dray moved to adjourn.

Lost.

Senator Heacock asked leave of absence for the day for Senator Byrnes, and Senator Goucher asked for the same for Senator Langford.

Both granted.

CONCURRENT RESOLUTION.

By Senator Ostrom: Concurrent Resolution No. 3—Memorializing Congress to provide fortifications for the Pacific Coast, and especially for San Francisco Harbor.

Referred to Committee on Federal Relations.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as indicated:

By Senator Everett: Senate Bill No. 229—An Act entitled "An Act to amend an Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

Referred to Committee on Judiciary.

Also: Senate Bill No. 230—An Act to amend section two hundred and seventy-six, Code of Civil Procedure.

Referred to Committee on Judiciary.

Also: Senate Bill No. 231—An Act to amend section six hundred and forty-seven of the Penal Code, relating to vagrants.

Referred to Committee on Judiciary.

Also: Senate Bill No. 232—An Act to amend section two hundred and eighty-one, Code of Civil Procedure.

Referred to Committee on Judiciary.

By Senator Mahoney: Senate Bill No. 233—An Act to declare arrangements, contracts, agreements, trusts, or combinations, in restraint of trade and production unlawful, and to fix the penalty therefor.

Referred to Committee on Corporations.

Also: Senate Bill No. 234—An Act to establish a standard of weights and measures.

Referred to Committee on Judiciary.

Also: Senate Bill No. 235—An Act fixing the permanent channels of

rivers in the State of California, and for retaining them in their true channel, and for returning them when changed into their true channels as defined in this Act.

Referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 236—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relative to the sale and use of opium or any preparation thereof.

Referred to Committee on Corporations.

By Senator Heacock: Senate Bill No. 237—An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Referred to Committee on Corporations.

By Senator Berry: Senate Bill No. 238—An Act to amend sections seven hundred and ninety-nine and eight hundred of the Penal Code, relating to the limitation of time within which prosecution for murder, the embezzlement of public moneys, and the falsification of public records must be commenced.

Referred to Committee on Judiciary.

By Senator Simpson: Senate Bill No. 239—An Act to amend section three thousand and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Boards of Health.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 240—An Act to amend sections three thousand and seventy-seven, three thousand and seventy-eight, three thousand and eighty, and three thousand and eighty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the registry of births, deaths, and marriages.

Referred to Committee on State Hospitals.

Also: Senate Bill No. 241—An Act to appropriate money for the erection of a State Hospital for lepers.

Referred to Committee on State Hospitals.

Also: Senate Bill No. 242—An Act to amend section three hundred and seventy-eight of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of the public health and safety, and registration of births, deaths, and marriages.

Referred to Committee on Judiciary.

By Senator Broderick: Senate Bill No. 243—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Referred to Committee on Claims.

By Senator G. H. Williams: Senate Bill No. 244—An Act to authorize the establishment of County High Schools, and provide for their support.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 245—An Act to establish a State Normal School in the City and County of San Francisco.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 246—An Act to provide for a depository for the county funds, and to regulate the same.

Referred to Committee on Judiciary.

By Senator Maher: Senate Bill No. 247—An Act for the relief of G. Raisch.

Referred to Committee on Claims.

Also: Senate Bill No. 248—An Act to appropriate the sum of eighty thousand dollars for the building of a medical college in the City and County of San Francisco, to be a part of the University of California.

Referred to Committee on State Hospitals.

By Senator Everett: Senate Bill No. 249—An Act to prescribe who can practice law in Police Courts.

Referred to Committee on Judiciary.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in the following Senate resolution:

Resolved, That when this Senate adjourns on Friday, the sixteenth (the Assembly concurring), that both Houses stand adjourned until Monday, the nineteenth instant.

H. A. MASON, Clerk.

REQUEST.

Senator Preston asked that the committee of which he is Chairman be permitted to retire for committee work.

Granted.

RESOLUTION—(OUT OF ORDER).

By Senator Streeter:

Resolved, That the State Printer be requested to print five hundred copies of all Senate bills.

Adopted.

ADJOURNMENT.

At three o'clock P. M., Senator Broderick moved to adjourn.

The roll was ordered called, with the result following:

AYES—Messrs. Bailey, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Flint, Fraser, Hamill, Heacock, Maher, Mead—15.

NOES—Messrs. Berry, Dargie, Goucher, Harp, McGowan, Ostrom, Seawell, Simpson, Voorhies, Welch, Williams (Geo. H.), and Wilson—12.

Whereupon the Senate was declared adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, January 16, 1891.

The Senate met pursuant to adjournment.

President pro tem. Fraser in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser,

Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

LEAVE OF ABSENCE.

There being no objection, Senator Streeter was granted leave of absence for the day.

READING OF JOURNAL.

Journal of yesterday read, corrected, and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Mead:

Resolved, That the Sergeant-at-Arms be instructed to have all bills and resolutions properly arranged, and placed on each Senator's desk twice each day.

Adopted.

CORRECTION OF JOURNAL.

Senator Heacock asked unanimous consent to correct the Journal of January sixth, on page six of the printed Journal, in reference to his amendment to the resolution appointing W. C. Whitman Messenger to Committee on Elections.

Granted.

Senator Heacock then moved that said amendment be corrected by striking out the words "said committee was in session," and insert "required by said committee in."

So ordered.

REPORTS OF SPECIAL COMMITTEES.

ON EXAMINATION OF VAULT FOR ARCHIVES.

We, the undersigned Special Committee, appointed to confer with the Secretary of State in reference to the advisability of completing the vault for the storage of the archives of the State in the basement of the Capitol building, respectfully report:

That in company with the Secretary of State and W. C. Hendricks, ex-Secretary of State, and Mr. McGuire, the contractor who constructed the vault, made a personal examination of the above named vault and the surroundings, and find:

First—We consider the vault fire-proof and burglar-proof.

Second—We consider the vault to be water-proof under all circumstances, except in the case of a general flood.

Third—We recommend the completion of the vault, and would also recommend that the means of access to the same should be altered and remodeled to increase the facility of using the same.

BANKS, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Harp, Heacock, Mahoney, McComas, Mead, Preston, Simpson, Sprague, Voorhies, and Williams (Wm. H.)—24.

NOES—Messrs. Bailey, Campbell of Solano, Crandall, Hamill, Ostrom, Welch, and Wilson—7.

ON APPOINTMENT OF COMMITTEE CLERKS.

MR. PRESIDENT: Your committee to whom was referred the resolution offered by Senator Seawell, asking that each of the Democratic Senators be allowed a clerk at a per diem of three dollars, have had the same under consideration, and beg leave to report: That it has searched diligently for an established precedent which would warrant a favorable report upon the resolution. The nearest approach to such precedent which your committee has been able to find was established in this body at its last session, when the record shows that twenty-two Democratic Senators enjoyed the *luxury* and *companionship* of upwards of forty-four committee clerks, an average of at least two for each Democratic Senator; but as such precedent was not afterwards approved by the people—whose servants we all are—for instead of twenty-two, a remnant of only twelve Democratic Senators have been returned at the present session, your committee does not deem it wise to follow it, and therefore recommends the indefinite postponement of the resolution.

HEACOCK, for Committee.

Adopted.

MOTION.

Senator Heacock moved the adoption of the report.

Ayes and noes demanded by Senators Welch, Goucher, and Campbell of Siskiyou.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, Preston, Ragsdale, Seawell, Simpson, Voorhies, Welch, Williams (Wm. H), and Williams (Geo. H.)—26.

NOES—Messrs. Berry, Britt, Hamill, Harp, and Wilson—5.

NOTICE OF RECONSIDERATION.

Senator Goucher gave notice that at the next meeting he would move a reconsideration of the vote whereby the report was adopted.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

The following reports were received from the above committee and read:

SACRAMENTO, January 15, 1891.

To the honorable the Senate of the State of California:

Your Committee on Judiciary, to which was referred the following bills, respectfully report as follows:

Senate Bill No. 10—Entitled "An Act to amend sections six hundred and eighty-nine and five hundred and forty-nine of the Code of Civil Procedure of the State of California, relative to the claims by third persons of property levied upon under writs of execution and attachment, as to the procedure upon said claims, and as to the necessary prerequisites to their being received"—report back said bill, and recommend that it be amended in the following particulars, to wit:

First—Strike out of section one, line nine, the word "but," and all of lines ten and eleven.

Second—Strike out all of section three.

And that as so amended that said bill be passed.

Also: Senate Bill No. 11—Entitled "An Act to amend section six, and to repeal section sixty-three of an Act entitled 'An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors,' approved April 16, 1880, relating to the appointment of Receivers, and the care and disposition of the property of insolvent debtors, during the pendency of insolvency proceedings and before the election of an assignee"—respectfully report back said bill and recommend its passage.

Also: Senate Bill No. 13—Entitled "An Act to amend section five hundred and thirty-two of the Penal Code, relating to the crime of obtaining money or property by false pretenses"—respectfully report back said bill, and recommend that it be amended in the following particulars:

First—Add after the word "person," in line six, section one, the following: "city, town, county, municipal corporations of this State."

Second—Strike out all of section two and the note.

And that said bill as so amended be passed.

Also: Senate Bill No. 14—Entitled "An Act to amend section seventy-two of the Penal Code, relating to the fraudulent presentation of claims to public officers"—respectfully report back said bill, and recommend that it pass.

Also: Senate Bill No. 18—Entitled "An Act to amend section one thousand one hundred and eighteen of the Penal Code, relating to the power of the Court when the evidence is insufficient to justify a conviction."

Also: Senate Bill No. 25—Entitled "An Act to amend section one thousand two hundred and thirty-eight of the Penal Code, relating to cases wherein an appeal may be taken by the People."

Respectfully report back said bills, and recommend that the following substitute therefor be adopted:

An Act to amend sections one thousand one hundred and eighteen and one thousand two hundred and thirty-eight of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the dismissal of actions and to appeals.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one thousand one hundred and eighteen of the Penal Code is hereby amended so as to read as follows:

1118. If, after the evidence on either side is closed, the Court finds it insufficient to warrant a conviction, it may dismiss the action, except in cases of libel.

SEC. 2. Section one thousand two hundred and thirty-eight of the Penal Code is hereby amended so as to read as follows:

1238. An appeal may be taken by the people:

1. From a judgment for the defendant on a demurrer to the indictment or information.
2. From an order granting a new trial.
3. From an order arresting judgment.
4. From an order made after judgment affecting the substantial rights of the people.
5. From an order dismissing a criminal action, indictment, or information.

Also: Senate Bill No. 29—Entitled "An Act to amend section two hundred and twenty-four of an Act entitled 'An Act to establish a Civil Code,' approved March 21, 1872, in relation to the adoption of children"—respectfully report back said bill and recommend that it be amended in the following particulars: Strike out of line eight of section one, the words "except the Court;" and that as so amended that said bill be passed.

Also: Senate Bill No. 207—Entitled "An Act to amend sections two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of the Political Code of the State of California, and to repeal sections two hundred and forty-eight and two hundred and forty-nine of said Code"—respectfully report the same back and recommend its passage.

SPRAGUE, Chairman.

SPECIAL ORDER.

The hour calling for special order, namely, the consideration of Senate Bill No. 207, having arrived, Senator Heacock offered the following resolution:

Resolved, That Senate Bill No. 207 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, upon one day, and placed upon its passage.

Roll called, and the resolution adopted, and rules thereby suspended by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.

NOES—Messrs. Goucher and Wilson—2.

Senator Heacock moved that the rules be suspended so that the reading of the bill in full be dispensed with.

Carried.

SECOND READING OF BILL.

Senate Bill No. 207—An Act to amend sections two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of the Political Code of the State of California, and to repeal sections two hundred and forty-eight and two hundred and forty-nine of said Code.

Bill read second time.

AMENDMENTS.

Senator Britt moved to amend by striking out of section three, line ten, the word "four," and inserting in lieu thereof the word "five."

Roll called, and amendment lost by the following vote:

AYES—Messrs. Banks, Britt, Denison, Everett, Hamill, Maher, Simpson, and Welch—8.
NOES—Messrs. Bailey, Berry, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dray, Flint, Fraser, Goucher, Harp, Heacock, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Williams (Wm. H.), Williams (Geo. H.), and Wilson—22.

Senator Goucher moved to amend by striking out of section three, line fourteen, the word "five," and inserting in lieu thereof the following: "three."

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Berry, Dray, Goucher, Hamill, Harp, Heacock, Mead, Ostrom, Seawell, and Wilson—10.
NOES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Everett, Fraser, Maher, Mahoney, McComas, Preston, Ragsdale, Simpson, Sprague, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—24.

Senator Ostrom moved to amend by striking out of section three, line fourteen, the word "five," and insert instead the following: "four."

Lost.

There being no objection, Senate Bill No. 207 was considered engrossed, and ordered to a third reading.

THIRD READING OF BILL.

Senate Bill No 207—An act to amend sections two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of the Political Code of the State of California, and to repeal sections two hundred and forty-eight and two hundred and forty-nine of said Code.

Read the third time, and passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, Preston, Ragsdale, Simpson, Sprague, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—Messrs. Berry, Goucher, Harp, Mead, Ostrom, and Wilson—6.

Title approved.

MOTION.

Senator Heacock moved that Senate Bill No. 207 be immediately transmitted to the Assembly.

So ordered.

RESOLUTION.

By Senator Simpson:

Resolved, That the State Printer be and is hereby instructed to print daily five hundred copies of the Senate Journal, instead of three hundred and sixty copies heretofore ordered.

Adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Hamill: Senate Bill No. 250—An Act making an appropriation to pay the claim of Wm. J. Hardy.

Referred to Committee on Claims.

Also: Senate Bill No. 251—An Act entitled "An Act to prohibit the publication in any newspaper, periodical, publication, or pamphlet of any list or partial list of numbers of tickets, checks, or coupons entitled to prizes resulting from the drawing of any lottery, or to publish any account of any person having drawn a prize in any lottery, and to provide a penalty for violating this Act."

Referred to Committee on Education and Public Morals.

By Senator Harp: Senate Bill No. 252—An Act for the relief of the heirs of Michael Curran, deceased.

Referred to Committee on Judiciary.

By Senator Crandall: Senate Bill No. 253—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be known as section three thousand six hundred and seventy-one (*a*).

Referred to Committee on Judiciary.

Also: Senate Bill No. 254—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Referred to Committee on Elections.

By Senator Denison: Senate Bill No. 255—An Act to amend section five hundred and ninety-eight of the Civil Code of the State of California, relating to benevolent and religious corporations.

Referred to Committee on Corporations.

By Senator Byrnes: Senate Bill No. 256—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Referred to Committee on State Hospitals.

By Senator Mahoney: Constitutional Amendment No. 10—An Act to submit to the people of the State of California an amendment to section two, article four, of the Constitution of the State of California.

Referred to Committee on Judiciary.

By Senator Berry: Senate Bill No. 257—An Act to amend section two thousand six hundred and eighty-six of the Political Code of the State of California, in relation to the contents of the reports of viewers appointed for the purpose of viewing any highways proposed to be altered, laid out, constructed, discontinued, or abandoned.

Referred to Committee on Roads and Highways.

By Senator Bailey: Senate Bill No. 258—An Act prescribing the powers, duties, and rights of corporations, companies, associations, or

persons furnishing water to any city and county, city, or town, or to the inhabitants thereof, and to regulate water rates.

Referred to Committee on City, City and County, and Town Governments.

By Senator Preston: Senate Bill No. 259—An Act to appropriate money for the completion and maintenance of the Preston School of Industry.

Referred to Committee on Prisons and Prison Buildings.

By Senator Welch: Senate Bill No. 260—An Act to amend section two thousand four hundred and sixty-seven of the Political Code, relating to charges for towage.

Referred to Committee on Commerce and Navigation.

By Senator Flint: Senate Bill No. 261—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes.

Referred to Committee on Public and Swamp and Overflowed Lands.

Also: Senate Bill No. 262—An Act making an appropriation to pay the deficiency in the appropriation for the salary of the Executive Secretary to the Governor for the forty-first and forty-second fiscal years.

Referred to Committee on Finance.

By Senator Voorhies (by request): Senate Bill No. 263—An Act to provide for the painting of portraits of R. W. Waterman and H. H. Markham, and appropriating money therefor.

Referred to Committee on Finance.

By Senator Ragsdale: Senate Bill No. 264—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section one thousand eight hundred and sixty-four and one half, to give a lien to the breeder of thoroughbred cattle, horses, and other domestic animals.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

Also: Senate Bill No. 265—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

Referred to Committee on Judiciary.

By Senator De Long: Senate Bill No. 266—An Act making an appropriation for the support and maintenance of the State Mining Bureau for the forty-third and forty-fourth fiscal years.

Referred to Committee on Finance.

TO RECONSIDER.

Senator Seawell having complained of voting spontaneously on a motion previously lost, and without knowledge of what the subject-matter was, asked that the vote be reconsidered, that he might have the opportunity of voting intelligently thereon.

MOTION.

Senator Preston moved that Senator Seawell be granted unanimous consent to change his (Seawell's) vote.

Lost.

RESOLUTION.

By Senator Goucher:

That the Committee on Printing is hereby requested to confer with the State Printer, to the end that Senate bills may be printed and returned to the Senate more speedily than heretofore.

So ordered.

MOTION.

Senator Crandall moved that Senate Bill No. 29 be taken up and read the first time.

So ordered.

The report of Committee on Judiciary touching said bill reread.

FIRST READING OF BILLS—(OUT OF ORDER).

Senate Bill No. 29—An Act to amend section two hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, in relation to the adoption of children.

Bill read first time.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Senator Wilson: Senate Bill No. 267—An Act to regulate the interest of money.

Referred to Committee on Finance.

By Senator Simpson: Senate Bill No. 268—An Act to amend section two thousand nine hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the preservation of the public health.

FIRST READING OF BILLS—(OUT OF ORDER).

Senator Crandall moved that Senate Bills Nos. 18 and 25 be taken up and read first time.

There being no objection, it was so ordered.

The report of the Committee on Judiciary concerning the two bills, recommending the adoption of a substitute for both, was first read.

Senate Bill No. 18—An Act to amend section one thousand one hundred and eighteen of the Penal Code, relating to the power of the Court when the evidence is insufficient to justify a conviction.

Bill read first time.

Senate Bill No. 25—An Act to amend section one thousand two hundred and thirty-eight of the Penal Code, relating to cases wherein an appeal may be taken by the people.

Bill read first time.

RECESS.

The hour of twelve o'clock M. having arrived, the President pro tem. declared a recess.

REASSEMBLED.

The Senate reassembled at one o'clock and thirty minutes P. M. President pro tem. Fraser in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Dargie, De Long, Denison, Everett, Fraser, Goucher, Heacock, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

CONCURRENT RESOLUTION.

By Senator Heacock:

Resolved by the Senate, the Assembly concurring, That the Standing Committee on Rules of both Houses be requested to prepare and report a joint rule of the two Houses, relative to the consideration and passage of duplicate bills, or bills of substantially the same character, pending in both Houses, or committees thereof, at the same time.

Adopted.

REPORT OF COMMITTEE ON PUBLIC PRINTING.

Senator Dargie made a verbal report for Committee on Public Printing, to the effect that said committee had paid a visit to the State Printer, receiving assurance that all Senate bills would be printed by Monday, and that hereafter all Senate bills would be ready for distribution the day after their introduction.

ANNOUNCEMENT.

The President pro tem. announced that there was no business before the Senate, and if there were no objections he would order Senate Bills Nos. 10, 11, 13, and 14 reported on by Committee on Judiciary.

There being no objection, the bills were ordered read first time.

FIRST READING OF BILLS—(OUT OF ORDER).

The following bills were read first time:

Senate Bill No. 10—An Act to amend sections six hundred and eighty-nine and five hundred and forty-nine of the Code of Civil Procedure of the State of California, relative to the claims by third persons of property levied upon under writs of execution and attachment, as to the procedure upon said claims, and as to the necessary prerequisites to their being received.

Senate Bill No. 11—An Act to amend section six and to repeal section sixty-three of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to the appointment of receivers, and the care and disposition of the property of insolvent debtors during the pendency of insolvency proceedings and before the election of an assignee.

Senate Bill No. 13—An Act to amend section five hundred and thirty-two of the Penal Code, relating to the crime of obtaining money or property by false pretenses.

Senate Bill No. 14—An Act to amend section seventy-two of the Penal Code, relating to the fraudulent presentation of claims to public officers.

ADJOURNMENT.

At one o'clock and fifty-five minutes P. M., on motion of Senator De Long, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, January 19, 1891.

Senate met pursuant to adjournment.
President J. B. Reddick in the chair.
Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

Journal read.
Corrected as to date, and approved.

MOTION.

Senator Sprague moved that the Senate take up messages from the Governor.
So ordered.

LEAVE OF ABSENCE.

Senator Preston, on request, was granted a leave of absence for the day.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 19, 1891.

To the Senate of the State of California:

I hereby withdraw the name of Joseph D. Redding, for the office of Fish Commissioner, from your further consideration.

I hereby withdraw the name of John K. Orr, for the office of Fish Commissioner, from your further consideration.

I hereby withdraw the name of J. R. Laine, for the office of member of the State Board of Health, from your further consideration.

I hereby withdraw the name of Alexander Badlam, for the office of Port Warden for the port of San Francisco, from your further consideration.

I hereby withdraw the name of E. W. Travers, for the office of Pilot Commissioner for the ports of San Francisco, Mare Island, and Benicia, from your further consideration.

I hereby withdraw the name of Oliver Eldridge, for the office of Pilot Commissioner for the ports of San Francisco, Mare Island, and Benicia, from your further consideration.

I hereby withdraw the name of Obed Harvey, for the office of member of the Board of Directors of the Insane Asylum at Stockton, from your further consideration.

I hereby withdraw the name of Warren Olney, for the office of member of the Board of Directors of the Deaf, Dumb, and Blind Asylum, from your further consideration.

I hereby withdraw the name of George W. Gibbs, for the office of Trustee of the California Home for Feeble-Minded Children, from your further consideration.

I hereby withdraw the name of A. P. Overton, for the office of Trustee of the California Home for Feeble-Minded Children, from your further consideration.

I hereby withdraw the name of Louis Sloss, Jr., for the office of member of the Board of Regents of the University of California, from your further consideration.

I hereby withdraw the name of J. C. Campbell, for the office of Director of the State Prisons, from your further consideration.

I do hereby nominate Ramon E. Wilson, of the county of San Francisco, to the office of Fish Commissioner, vice Charles Josselyn, and respectfully request your consent to his appointment.

I do hereby nominate Joseph Morizio, of the county of San Francisco, to the office of Fish Commissioner, vice John K. Orr, and respectfully request your consent to his appointment.

I do hereby nominate Samuel K. Thornton, of the county of San Francisco, to the office of Port Warden for the port of San Francisco, vice Alexander Badlam, and respectfully request your consent to his appointment.

I do hereby nominate Captain J. H. Bruce, of the City and County of San Francisco, to the office of Pilot Commissioner for the ports of San Francisco, Mare Island, and Benicia, vice A. C. Freese, resigned, and respectfully request your consent to his appointment.

I do hereby nominate George W. Gibbs, of the county of San Francisco, to the office of Trustee of the California Home for Feeble-Minded Children, vice self, and respectfully request your consent to his appointment.

I do hereby nominate Dr. Chester A. Rowell, of the county of Fresno, to the office of Regent of the University of California, vice Louis Sloss, Jr., and respectfully request your consent to his appointment.

I do hereby nominate Irwin C. Stump, of the county of San Francisco, to the office of State Prison Director, vice J. C. Campbell, and respectfully request your consent to his appointment.

I do hereby nominate Joseph D. Redding, of the county of San Francisco, to the office of Fish Commissioner, vice self, and respectfully request your consent to his appointment.

H. H. MARKHAM, Governor.

After the reading, Senator Sprague moved that the consideration of the Governor's message be made a special order for Thursday, January 22, 1891, at two o'clock P. M.

So ordered.

REPORT OF STANDING COMMITTEE.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 19, 1891.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 32—An Act to amend section two thousand two hundred and eighty-one of an Act entitled "An Act to establish a Political Code," in relation to the office of Treasurer of the Deaf and Dumb and Blind Asylum—have had the same under consideration, and respectfully report the same back, and recommend that same do pass.

Also: Senate Bill No. 30—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by the committee.

DE LONG, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, read, and referred to committees, as follows:

By Senator W. H. Williams: Senate Bill No. 269—An Act to amend sections five hundred and one and five hundred and eight of the Civil Code, relative to street railroads and street railroad corporations in cities, cities and counties, or towns.

Referred to Committee on Corporations.

By Senator Campbell of Siskiyou: Senate Bill No. 270—An Act to

amend section one thousand two hundred and forty six of the Penal Code, relating to the cost of appeals in criminal cases.

Referred to Committee on Judiciary.

By Senator Seawell: Senate Bill No. 271—An Act to amend section one thousand six hundred and sixty-five of the Political Code, relating to course of instruction to be taught in the public schools of California.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 272—An Act fixing the rate of tare on baled hops.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

Also: Senate Bill No. 273—An Act to amend sections three hundred and thirty-seven and three hundred and thirty-nine of the Code of Civil Procedure, relating to time of commencing actions.

Referred to Committee on Judiciary.

By Senator Hamill: Senate Bill No. 274—An Act to provide for the assessment of property, and to provide a penalty for the failure or neglect of Assessors to perform their duty in making assessments.

Referred to Committee on Finance.

By Senator Berry: Senate Bill No. 275—An Act to amend section two hundred and one and one half of the Political Code, an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 17, 1887, also approved March 16, 1889.

Referred to Committee on City, City and County, and Town Governments.

By Senator Ragsdale: Senate Bill No. 276—An Act to repeal section three thousand eight hundred and eighteen of the Political Code, relating to preferred purchasers for lands sold to the State for taxes.

Referred to Committee on Judiciary.

By Senator Banks: Senate Bill No. 277—An Act amending section eight hundred and thirty-two of the Civil Code of the State of California, as amended March 3, 1874, relating to excavation made upon lands, and the duty of protecting the lands of coterminous owner.

Referred to Committee on Judiciary.

By Senator McComas: Senate Bill No. 278—An Act to prohibit the sale of intoxicating liquors within one mile of any reform school where juveniles are confined or kept.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 279—A bill for an Act to provide for the organization and government of districts already supplied with water for domestic and irrigation purposes, or either, and to provide for the acquisition of additional supplies of water when necessary, and to provide for the regulation and use of such water.

Referred to Committee on Irrigation.

By Senator Heacock: Senate Bill No. 280—An Act to amend section one of an Act entitled "An Act to amend section one, to repeal sections two, three, four, five, six, seven, eight, nine, ten, and eleven, and to renumber sections twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, and nineteen of an Act entitled 'An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same,' approved April 15, 1880, amended March 6, 1883, amended March 9, 1885, amended March 14, 1885, amended March 9, 1887, to repeal all laws amendatory thereof, and to provide for the reorganization of existing

districts and the formation of new districts," approved March 6, 1889, to divide Agricultural District No. 19, and to create an additional agricultural district, to be known and designated as Agricultural District No. 30.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

By Senator Britt: Senate Bill No. 281—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations.

Referred to Committee on Labor and Capital.

By Senator Flint: Senate Bill No. 282—An Act to provide for the appointment of a Board of Sutter's Fort Trustees, and for the acquisition of the Sutter Fort property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Referred to Committee on Finance.

By Senator Mead: Constitutional Amendment No. 11—A resolution to propose an amendment to sections fifteen and nineteen, article five of the Constitution.

Referred to Committee on Banks and Banking and Constitutional Amendments.

By Senator Everett: Senate Bill No. 283—An Act to amend sections one thousand nine hundred and fifteen and one thousand nine hundred and seventeen of the Civil Code, relative to the legal rate of interest and to provide a penalty for usury, and to repeal section one thousand nine hundred and eighteen of said Code.

Referred to Committee on Banks and Banking and Constitutional Amendments.

By Senator De Long: Senate Bill No. 284—An Act to amend section one thousand three hundred and forty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, authorizing certain corporations to act as executor, and in other capacity.

Referred to Committee on Corporations.

By Senator Broderick: Senate Bill No. 285—An Act providing for the sale of railroads and other franchises in municipalities, and fixing the time when certain acts of the governing bodies thereof shall take effect.

Referred to Committee on Corporations.

By Senator Maher: Senate Bill No 286—An Act authorizing the governing bodies of cities, or cities and counties, to fix the rates to be charged for gas and electricity for lighting.

Referred to Committee on Corporations.

By Senator Sprague: Senate Bill No. 287—An Act to amend section ninety-two of the Civil Code, and to add a new section to the Civil Code, to be designated as section one hundred and eight, concerning divorces.

Referred to Committee on Judiciary.

By Senator McGowan (by request): Senate Bill No. 288—An Act to amend section one thousand nine hundred and sixty-two of the Code of Civil Procedure of California, to be known as subdivision eight, relating to what are deemed conclusive presumptions.

Referred to Committee on Judiciary.

REQUEST.

Senator Hamill requested that Senate Bill No. 63 be referred to Committee on Judiciary, to pass upon its constitutionality.

No objections, so referred.

SECOND READING OF BILLS.

The following bills were read a second time:

Senate Bill No. 10—An Act to amend sections six hundred and eighty-nine and five hundred and forty-nine of the Code of Civil Procedure of the State of California, relative to the claims by third persons of property levied upon under writs of execution and attachment as to the procedure upon said claims, and as to the necessary prerequisites to their being received.

On motion, the following two committee amendments were adopted:

First—Strike out of section one, line nine, the word "but," and all of lines ten and eleven.

Second—Strike out all of section three.

Bill as amended ordered engrossed, and to a third reading.

Senate Bill No. 11—An Act to amend section six and to repeal section sixty-three of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to the appointment of receivers, and the care and disposition of the property of insolvent debtors during the pendency of insolvency proceedings and before the election of an assignee.

Senator Crandall moved to strike out section three.

So ordered.

Bill ordered engrossed, and to a third reading.

Senate Bill No. 13—An Act entitled an Act to amend section five hundred and thirty-two of the Penal Code, relating to the crime of obtaining money or property by false pretenses.

The following two committee amendments were adopted:

First—Add after the word "person," in line six, section one, the following: "City, town, county, municipal corporations of this State."

Second—Strike out all of section two and the note.

Senator Crandall moved to amend the title by adding after the word "Code" the words "of the State of California."

Adopted.

Bill ordered engrossed, and to a third reading.

Senate Bill No. 14—An Act entitled an Act to amend section seventy-two of the Penal Code, relating to the fraudulent presentation of claims to public officers."

Senator Heacock moved to amend by striking out all of section two, and all of the note.

Adopted.

Senator Crandall moved to amend by adding after the word "Code" the words "of the State of California."

Adopted.

Bill ordered engrossed, and to a third reading.

SUBSTITUTE BILL.

The following bill was submitted by the Committee on Judiciary as a substitute for Senate Bills No. 18 and 25:

An Act to amend sections one thousand one hundred and eighteen and one thousand two hundred and thirty-eight of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the dismissal of actions and to appeals.

Bill read second time, ordered engrossed and to a third reading.

Senate Bill No. 29—An Act entitled an Act to amend section two hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, in relation to the adoption of children.

The following committee amendment was adopted:

Strike out of line eight, of section one, the words "except the Court."

Senator Crandall moved that after the word "Code" insert the words "of the State of California."

Adopted.

Bill ordered engrossed, and to a third reading.

MOTION.

Senator De Long moved to take up Senate Bills Nos. 30 and 32.

No objections, so ordered.

FIRST READING OF BILLS—(OUT OF ORDER).

Senate Bill No. 30—An Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and sixteen, and three thousand eight hundred and sixty-six of "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be known as section three thousand seven hundred and fifty-seven, relative to the collection of property taxes.

Bill read first time.

Also: Senate Bill No. 32—An Act to amend section two thousand two hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, in relation to the office of Treasurer of the Deaf and Dumb and Blind Asylum.

Bill read first time.

LEAVE OF ABSENCE.

Senator Seawell asked that Senator Goucher be given leave of absence for the day.

Granted.

ADJOURNMENT.

At three o'clock and fifteen minutes P. M., on motion of Senator Ragsdale, the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 20, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Brit, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

On account of the illness of the Chaplain, prayer was dispensed with.

READING OF THE JOURNAL.

Journal read and approved.

PETITION.

Petition from citizens of San José, asking for legislation that will permit the formation of mutual insurance companies.

Referred to Committee on Corporations.

Senator Ostrom asked that Senate Bill No. 123 be referred to Committee on Elections instead of Committee on Judiciary.

So ordered.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Joint Resolution No. 1—Relative to a public building at Eureka.

Also: Adopted Assembly Joint Resolution No. 5—Relative to the erection of a gun factory at Benicia, for finishing and assembling high power guns.

H. A. MASON, Clerk.

Referred to Committee on Public Buildings other than Prison Buildings.

CONSTITUTIONAL AMENDMENT.

By Senator Crandall: Constitutional Amendment No. 12—Relative to changing the seat of government from the city of Sacramento to the city of San José.

Referred to Committee on Constitutional Amendments and Banks and Banking.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator McGowan: Senate Bill No. 289—An Act to repeal sections two thousand five hundred and sixty-seven, two thousand five hundred

and sixty-eight, two thousand five hundred and sixty-nine, two thousand five hundred and seventy, two thousand five hundred and seventy-one, and two thousand five hundred and seventy-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Referred to Committee on Commerce and Navigation.

By Senator Crandall: Senate Bill No. 290—An Act to provide for the erection of additional buildings for the use of the State Normal School at San José, California, and making an appropriation therefor.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Ragsdale: Senate Bill No. 291—An Act for the relief of Benicia F. Vallejo, the widow of the late General Mariano G. Vallejo.

Referred to Committee on Claims.

Also: Senate Bill No. 292—An Act to add a new section to the Penal Code, to be known as section five hundred and thirty-eight, relating to defrauding proprietors and managers of livery, feed, and sale stables.

Referred to Committee on Judiciary.

By Senator Mahoney: Senate Bill No. 293—An Act for the relief of John J. Conlin.

Referred to Committee on Claims.

By Senator Langford: Senate Bill No. 294—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885.

Referred to Committee on Forestry, etc.

By Senator Goucher: Senate Bill No. 295—An Act to provide for the purchase of a portrait of ex-Governor Waterman by the State Board of Examiners, and to appropriate money therefor.

Referred to Committee on Finance.

By Senator Simpson: Senate Bill No. 296—An Act to add a new section to the Political Code, to be known as section two hundred and ninety-three, relating to qualifications of Notaries Public.

Referred to Committee on Judiciary.

Also: Senate Bill No. 297—An Act to amend section two hundred and ninety-one of the Political Code, relating to the appointment and number of Notaries Public.

Referred to Committee on Judiciary.

By Senator Hamill: Senate Bill No. 298—An Act to provide for changes of the custody of property, and the control of estates upon changes in the office of Public Administrators.

Referred to Committee on City, City and County, and Town Governments.

By Senator Campbell of Solano: Senate Bill No. 299—An Act to amend section one thousand two hundred and sixty-five of the Civil Code, relating to homesteads.

Referred to Committee on Judiciary.

By Senator McComas: Senate Bill No. 300—An Act to revise the law in relation to mortgages of personal property.

Referred to Committee on Judiciary.

By Senator De Long: Senate Bill No. 301—An Act making appropriation of money to supply the deficiency in the appropriation for the support of the State Printing Office for the forty-second fiscal year.

Referred to Committee on Finance.

By Senator Maher: Senate Bill No. 302—An Act to amend sections two thousand four hundred and thirty-six, two thousand four hundred

and forty, and two thousand four hundred and forty-three of article five of the Political Code, relating to pilots and Pilot Commissioners, and sections two thousand four hundred and fifty-seven, two thousand four hundred and sixty, two thousand four hundred and sixty-two, two thousand four hundred and sixty-five, two thousand four hundred and sixty-six, and two thousand four hundred and sixty-seven of article six of the Political Code, relating to the pilot regulations for San Francisco, Mare Island, and Benicia.

Referred to Committee on Commerce and Navigation.

SENATE JOINT RESOLUTION.

By Senator McGowan: Senate Joint Resolution No. 9—Requesting Congress to enact a law limiting or prohibiting foreign immigration.

Referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES.

The following committee reports were read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 19, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 12—Entitled "An Act repealing an Act declaring the Klamath River navigable"—have had the same under consideration, and respectfully report the same back without recommendation as to its merits, and recommend that it be referred to the Committee on Mines, Drainage, and Mining Debris.

Also: Senate Bill No. 15—Entitled "An Act appropriating money to pay the expenses of maintaining an exhibit of the products of the State of California at the World's Columbian Exposition, to be held in Chicago in 1893, and to provide for Commissioners thereof"—have had the same under consideration, and respectfully report that in the opinion of the committee there is no constitutional objection to its passage, and recommend that it be referred to the Committee on Finance.

Also: Senate Bill No. 19—Entitled an Act to amend section two thousand nine hundred and fifty-five of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to chattel mortgages.

Also: Senate Bill No. 22—Entitled "An Act to amend section four hundred of the Penal Code, relating to the offense of aiding, advising, and encouraging the commission of suicide, and to renumber said section."

Also: Senate Bill No. 23—Entitled "An Act to amend sections four hundred and four hundred and one of the Penal Code, relating to contagious diseases among animals, and to renumber said sections."

Also: Senate Bill No. 24—Entitled "An Act to amend section four hundred and one of the Penal Code, relating to the adulteration of candy, and to renumber said section."

Also: Senate Bill No. 67—Entitled "An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, concerning the right of eminent domain."

Also: Senate Bill No. 70—Entitled "An Act to add a new section to the Penal Code of the State of California, to be numbered section eight hundred and thirty, relative to the service of warrants of arrest and other process in criminal cases."

Respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 49—Entitled "An Act to amend section seventy of the Civil Code, relating to solemnization of marriages"—respectfully report back the same as amended, without recommendation.

Also: Senate Bill No. 28—Entitled "An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable streams of water, and to confine innavigable running streams to a fixed channel."

Also: Senate Bill No. 76—Entitled "An Act to amend section one thousand one hundred and eighty-one of the Civil Code of the State of California, as amended April 3, 1880, relating to the proof and acknowledgment of instruments."

Also: Senate Bill No. 77—Entitled "An Act to legalize certain acknowledgments."

Respectfully report the same back and recommend that they do pass.

SPRAGUE, Chairman.

Senator Sprague moved that Senate Bill No. 15 be referred to Committee on Finance.

So ordered.

ON PUBLIC BUILDINGS.

SENATE CHAMBER, SACRAMENTO, January 19, 1891.

MR. PRESIDENT: Your Committee on Public Buildings other than State Prisons, to whom was referred Senate Bills Nos. 7, 148, 196, and 197 have had the same under consideration, and respectfully report the same back and recommend that they do pass.

Also: That Senate Joint Resolution No. 2 be adopted.

BANKS, Chairman.

SENATE JOINT RESOLUTION.

Senator Langford introduced Senate Joint Resolution No. 4—Relative to the abolishment of duty on grain bags, burlaps, gunnys, or gunny cloth.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

SECOND READING OF BILLS.

Senate Bill No. 32—An Act to amend section two thousand two hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, in relation to the office of Treasurer of the Deaf and Dumb and Blind Asylum.

Bill read second time, ordered engrossed, and to a third reading.

Senate Bill No. 30—An Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and sixteen, and three thousand eight hundred and sixty-six of "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be known as section three thousand seven hundred and fifty-seven, relative to the collection of property taxes.

The following committee amendments, on motion of Senator Crandall, were taken up separately and adopted:

Section one, line ten, of the printed bill, strike out the word "June," and insert the word "May" in lieu thereof.

Strike out the whole of section two.

In section three, line one, strike out the figure "3," and insert the figure "2" in lieu thereof.

In section four, line one, strike out the figure "4," and insert the figure "3" in lieu thereof.

In section five, line one, strike out the figure "5," and insert the figure "4" in lieu thereof.

In section six, line one, strike out the figure "6," and insert the figure "5."

In section six, line three, strike out the word "August," and insert the word "July."

In section seven, line one, strike out figure "7," and insert figure "6."

In section seven, line three, strike out the word "September," and insert the word "August" in lieu thereof.

In section eight, line one, strike out the figure "8," and insert figure "7" in lieu thereof.

In section eight, line three, strike out the word "September," and insert the word "August."

In section nine, strike out all of it.

In section ten, line one, strike out figure "10," and insert figure "8."

In section eleven, line one, strike out figure "11," and insert figure "9."

Strike out all of section twelve, and insert the following:

SEC. 10. Section three thousand eight hundred and sixty-six of the Political Code is amended to read as follows:

3866. The Treasurers of Del Norte, Humboldt, Lassen, Plumas, Inyo, Mono, Alpine, Modoc, Siskiyou, Lake, Trinity, Mariposa, and Ventura Counties must, between the fifteenth and thirtieth days of October and April in each year, and all the Treasurers of all other counties of the State must, between the fifteenth and thirtieth days of January, April, July, and October of each year, proceed to the State capital and settle in full with the Controller of State, and pay over in cash to the Treasurer of State all funds which have come into their hands, respectively, as County Treasurers, before the close of business upon the first Monday of the month during which they are by law required to settle with the Controller and Treasurer of State. If, in the opinion of the Controller of State, it appears from the report of any County Auditor that sufficient property tax has not been collected to make it for the interest of the State that a settlement should be made, the Controller shall defer the settlement until the next regular settlement. No mileage, fees, or commission shall be allowed any officer for any deferred settlement: *provided*, that in case any settlement is so deferred that the County Auditor in his next report to the Controller of State shall include therein all moneys required to be reported since the date of his report upon which a settlement was made.

SEC. 11. Section three thousand eight hundred and sixty-eight of the Political Code is hereby amended to read as follows:

3868. The Auditor of each county must, after the first Monday and before the second Monday of each month in which the Treasurer of his county is required to settle with the Controller, make in duplicate, and verify by his affidavit, a report to the Controller of State in such form as the Controller may desire, showing specifically the amount due the State from each particular source of revenue at the close of business of the first Monday of each month in which such report is required to be made to the Controller. Such report must include all moneys received by said County Treasurer since the date of his last settlement with the State Treasurer.

In section thirteen, line one, strike out the figures "13" and insert the figures "12" in lieu thereof; and that after the word "county" add "as provided for in chapter eight, title nine, of this Code."

Senator Crandall moved that in section thirteen that the figures "12" be substituted for the figures "13."

So ordered.

Also: That the following words be added to the last line: "As provided for in chapter eight, title nine, of this Code."

So ordered.

Also: That in title the figures "3748" and "3799" be stricken out, and the figures "3868" be made to follow the figures "3866."

So ordered.

Bill read, ordered engrossed, and to a third reading.

REPORT OF STANDING COMMITTEE.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, January 20, 1891.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Bill No. 208—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. H. WILLIAMS, Chairman.

MOTION.

Senator De Long moved that all bills favorably reported by committee be read the first time.

So ordered.

FIRST READING OF BILLS—(OUT OF ORDER).

The following bills were read the first time:

Senate Bill No. 19—An Act to amend section two thousand nine hundred and fifty-five of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to chattel mortgages.

Senate Bill No. 22—An Act to amend section four hundred of the Penal Code, relating to the offense of aiding, advising, and encouraging the commission of suicide, and to renumber said section.

Senate Bill No. 23—An Act to amend sections four hundred and four hundred and one of the Penal Code, relating to contagious diseases among animals, and to renumber said sections.

Senate Bill No. 24—An Act to amend section four hundred and one of the Penal Code, relating to the adulteration of candy, and to renumber said section.

Senate Bill No. 67—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, concerning the right of eminent domain.

Senate Bill No. 70—An Act to add a new section to the Penal Code of the State of California, to be numbered section eight hundred and thirty, relative to the service of warrants of arrest and other process in criminal cases.

Senate Bill No. 49—An Act to amend section seventy of the Civil Code, relating to solemnization of marriages.

Senate Bill No. 28—An Act to provide for the organization and government of levee districts created for the protection of the lands from overflow of innavigable streams of water, and to confine innavigable running streams to a fixed channel.

Senate Bill No. 76—An Act to amend section one thousand one hundred and eighty-one of the Civil Code of the State of California, as amended April 3, 1880, relating to the proof and acknowledgment of instruments.

Senate Bill No. 77—An Act to legalize certain acknowledgments.

CERTIFICATE OF ELECTION.

At this point Senator De Long announced that he possessed the certificate of election of W. A. Shippee, as State Senator from the Fourth Senatorial District, comprising the county of Butte.

Said certificate was thereupon transmitted to the Secretary's desk.

Upon invitation of the President, Senator-elect W. A. Shippee came forward and took the oath of office, as follows:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of Senator to the best of my ability.

After having been introduced to his fellow members the new Senator was escorted to his seat.

FIRST READING OF BILLS—(RESUMED).

The following bills were read for the first time:

Senate Bill No. 7—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, town, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 10, 1887.

Senate Bill No. 148—An Act to provide for the construction and furnishing of a kitchen and dining-room at the Napa State Asylum for the Insane, and making an appropriation therefor.

Senate Bill No. 196—An Act to provide for the removal of the old wooden fence, sidewalks, and curb from the State Capitol grounds, located at Sacramento, and have constructed in their stead a granite post and chain fence, a concrete sidewalk, and granite curb, and to appropriate money therefor.

Senate Bill No. 197—An Act to provide for the completion of the ten tiers of granite steps in the State Capitol grounds, located at Sacramento, and to appropriate money therefor.

Senate Bill No. 208—An Act giving the consent of the State of California to the reservation of certain lands by Congress.

REPORT OF STANDING COMMITTEE.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, January 20, 1891.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 83—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work—have had the same under consideration, and respectfully recommend that the same be amended, as follows: Section one, line three, of the present bill, insert the word "labor" after the word "hours" and before the word "constitute," and strike out section two, and that as so amended the same do pass.

Also: Senate Bill No. 82—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-six, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code—have had the same under consideration, and respectfully recommend that the same be amended, as follows: Strike out section two, and that as amended the same do pass.

MAHER, for Committee.

MOTION.

Senator Maher moved that Senate Bills Nos. 82 and 83 be read the first time.

So ordered.

FIRST READING OF BILLS—(OUT OF ORDER).

The two following bills were read the first time:

Senate Bill No. 82—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-six, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Senate Bill No. 83—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

MOTIONS.

Senator Carpenter moved that as this day at two o'clock P. M. was the time set for the consideration of the appointments made by the Governor, that the nominations be referred to the Committee on Judiciary.

So ordered.

Senator Goucher moved that the Judiciary Committee be instructed to investigate and report upon the question as to whether the Governor has power to withdraw names sent to the Senate by his predecessor for confirmation before the Senate has acted thereon, and that the Chairman of said committee secure and report the Attorney-General's opinion upon the same question.

So ordered.

ADJOURNMENT.

Senator Fraser moved to adjourn.

Roll call demanded by Senators McGowan, Goucher, and Berry.

The roll was called, with the following result:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Hamill, Heacock, Maher, McComas, Mead, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—27.

NOES—Messrs. Berry, Goucher, Harp, McGowan, Ostrom, Seawell, Welch, Williams (Wm. H.), and Wilson—9.

Whereupon, at twelve o'clock M., the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 21, 1891.

The Senate met pursuant to adjournment.

President pro tem. Fraser in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by the Rev. A. C. Herrick.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Senator De Long requested, and he was granted the privilege of introducing a number of deficiency bills, so that they might be referred to the proper committees.

By Senator De Long (at the request of State Board of Examiners): Senate Bill No. 303—An Act making an appropriation to pay the deficiency in the appropriation for stationery, supplies, fuel, and lights for Legislature and State officers for the fortieth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 304—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 305—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the laws for preservation of fish, for the thirty-ninth, fortieth, and forty-first fiscal years.

Referred to Committee on Finance.

Also: Senate Bill No. 306—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the laws for preservation of fish, for the forty-second fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 307—An Act making an appropriation to pay the deficiency in the appropriation for arrest of criminals without the limits of the State, for the fortieth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 308—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the State Capitol building and furniture, for the forty-first fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 309—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the State Capitol and furniture, for the forty-second fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 310—An act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of Attorney-General, for the fortieth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 311—An Act making an appropriation to pay the deficiency in the appropriation for postage and expressage of the Supreme Court, for the fortieth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 312—An Act making an appropriation to pay the deficiency in the appropriation for the improvement of the State Capitol grounds, for the forty-second fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 313—An Act making an appropriation to pay the deficiency in the appropriation for construction of granite steps in State Capitol grounds, for the forty-first and forty-second fiscal years.

Referred to Committee on Finance.

Also: Senate Bill No. 314—An Act making an appropriation to pay

the deficiency in the appropriation for salary of Commissioner of Bureau of State Statistics, for the fortieth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 315—An Act making an appropriation to pay the deficiency in the appropriation for salary of Deputy Commissioner of Bureau of Labor Statistics, for the fortieth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 316—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Engineer, for the fortieth, forty-first, and forty-second fiscal years.

Referred to Committee on Finance.

Also: Senate Bill No. 317—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Insane Asylum at Stockton, for the fortieth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 318—An Act making an appropriation to pay the deficiency in the appropriation for payment of claims incurred in an Act entitled "An Act to promote drainage," approved April 23, 1880.

Referred to Committee on Finance.

Also: Senate Bill No. 319—An Act making an appropriation to pay the deficiency in the appropriation for fuel, lights, postage, and incidental expenses of the Board of Railroad Commissioners, for the fortieth fiscal year.

Referred to Committe on Finance.

Also: Senate Bill No. 320—An Act making an appropriation to pay the deficiency in the appropriation for use of library at State Normal School at San José, for the thirty-eighth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 321—An Act making an appropriation to pay the deficiency in the appropriation for use of the State Board of Forestry, for the thirty-eighth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 322—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of ballot paper, for the forty-second fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 323—An Act making an appropriation to pay the deficiency in the appropriation for contingent expenses of Commissioner of Bureau of Labor Statistics, for fortieth, forty-first, and forty-second fiscal years.

Referred to Committee on Finance.

READING OF JOURNAL.

Journal of yesterday read, corrected, and approved.

REPORTS OF STANDING COMMITTEES.

The following reports from standing committees were read:

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, January 20, 1891.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred the following resolution, viz.:

Resolved, That the Senate Committee on Public Buildings be and said committee is hereby instructed to consider, and report to the Senate within ten days after the adoption of this resolution, upon the advisability of materially reducing the number of Boards, Commissions, Trustees, and other public officers heretofore created by legislative enactment, and now discharging duties and trusts under the State Government, and said committee is further instructed to report to the Senate within the time hereinbefore specified the names of such Boards, Commissions, Trustees, and other officers as may be either abolished or consolidated without injury to the State.

Have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Finance, on the ground that said resolution, in the opinion of the committee, was improperly or inadvertently referred to them for their consideration.

BANKS, Chairman.

Report adopted, and resolution referred to Committee on Finance.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, January 20, 1891.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 45.

Also: Senate Bill No. 154.

Also: Senate Bill No. 113—have had the same under consideration, and respectfully report the same back and recommend that they do pass.

DENISON, Chairman.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, January 21, 1891.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 84—An Act to regulate the practice of pharmacy and sale of poisons in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SIMPSON, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 21, 1891.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 41—An Act to amend section four thousand one hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to depositing public funds—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 72—An Act regulating the form of requisitions for stationery made by the members of the Legislature, and the officers and employés thereof, upon the Secretary of State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 91—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and furnishing, by the Board of State Harbor Commissioners, of a general ferry and passenger depot in the city and county of San Francisco; to create a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people—have had the same under consideration, and report the same back, and recommend that it do pass.

Also: Senate Bill No. 64—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Claims.

DE LONG, Chairman.

There being objection, Senate Bill No. 64 was referred to the Committee on Claims.

On motion of Senator De Long, Senate Bill No. 41 was ordered printed as amended.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, January 20, 1891.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 9—An Act making an appropriation for the payment of the repairs upon the quarantine launch "Governor Perkins"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAHONEY, Chairman.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 21, 1891.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 121—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARPENTER, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 20—An Act to amend section four hundred and eight of the Code of Civil Procedure.

Also: Assembly Bill No. 54—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure, relating to the service of summons in actions in Justice's Courts.

Also: Assembly Bill No. 56—An Act to amend section one hundred and twenty-eight of the Civil Code of the State of California, relative to actions in divorce cases.

Also: Assembly Bill No. 132—An Act to amend an Act entitled "An Act in relation to certain deputies, assistants, and copyists of County Clerks," approved April 2, 1880.

Also: Assembly Bill No. 52—An Act to amend sections fifty-eight and seven hundred and ninety-two of the Political Code, so as to authorize the appointment of women as Notaries Public.

Also: Assembly Bill No. 53—An Act to amend section two thousand and twenty-four of the Code of Civil Procedure, relative to the manner of taking depositions out of the State.

H. A. MASON, Clerk.

Referred to Judiciary Committee.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator W. H. Williams: Senate Bill No. 324—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Referred to Committee on Judiciary.

By Senator Harp: Senate Bill No. 325—An Act to provide for the redemption of property which has been heretofore sold to irrigation districts for delinquent assessments.

Referred to Committee on Irrigation.

By Senator Voorhies: Senate Bill No. 326—An Act to amend an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor," approved March 15, 1887.

Referred to Committee on Education and Public Morals.

By Senator Dargie: Senate Bill No. 327—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add a new section thereto, to be known as section one thousand eight hundred and ten, relating to the power of guardians to settle and compromise claims against the estates of their wards.

Referred to Committee on Judiciary.

Also: Senate Bill No. 328—An Act to amend section twenty-five of the Civil Code, relating to the age of minors.

Referred to Committee on Judiciary.

Also: Senate Bill No. 329—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Referred to Committee on City, City and County, and Town Governments.

By Senator Streeter: Senate Bill No. 330—An Act to amend sections one, nine, and seventeen of "An Act to provide for the erection and management of a State Hospital for the Insane, to be located in Southern California," approved March 11, 1889.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 331—An Act appropriating eighteen thousand three hundred and forty-five dollars for the payment of the salaries of the members and officers of the Board of State Harbor Commissioners for the Bay of San Diego, up to July 1, 1891.

Referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 332—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending sections two thousand five hundred and eighty-nine, two thousand five hundred and ninety-five, two thousand six hundred and five, two thousand six hundred and six, and two thousand six hundred and seven of said Code, relating to the establishing of a Board of State Harbor Commissioners for the Bay of San Diego.

Referred to Committee on Commerce and Navigation.

By Senator Ragsdale: Senate Bill No. 333—An Act to amend article one hundred and eleven, subdivision four, of section eight hundred and sixty-two of the Political Code of the State of California.

Referrrd to Committee on Judiciary.

By Senator Maher: Senate Bill No. 334—An Act to establish a State Board of Ramie Culture, and to provide for expenses thereof, and to encourage the culture of the ramie plant.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

By Senator Maher: Senate Bill No. 335—An Act to appropriate money to pay the claim of William Gutenberger for the loss of tools and property destroyed at the Branch State Prison at Folsom.

Referred to Committee on Claims.

Also: Senate Bill No. 336—An Act to regulate the preparation, sale, use, fire-test, and inspection of petroleum oils, kerosene, gasoline, or any product of petroleum, by whatever name known, which may be manufactured, offered for sale, or sold for consumption for illuminating purposes within the State.

Referred to Committee on Corporations.

By Senator Welch: Senate Bill No. 337—An Act to provide for estimating the cost and selling price of the State text-books.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 338—An Act to provide for the free printing of the State school text-books.

Referred to Committee on Education.

By Senator Flint: Senate Bill No. 339—An Act for the relief of Wallace Green for personal injuries received by him while confined as

a convict in the State Prison at San Quentin, and to appropriate money therefor.

Referred to Committee on Claims.

Also: Senate Bill No. 340—An Act to repeal title sixteen of part four, division first, of the Civil Code, and to substitute a new title in place thereof, providing for the formation and government of mutual building and loan associations.

Referred to Committee on Judiciary.

By Senator Crandall: Senate Bill No. 341—An Act to amend section three of "An Act to regulate contracts on behalf of the State in relation to erections and buildings," approved March 23, 1876.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Fraser: Senate Bill No. 342—An Act to provide for the appointment of a guardian for the Marshall Monument and grounds, prescribing his duties, and appropriating money therefor.

Referred to Committee on Finance.

By Senator Seawell: Senate Bill No. 343—An Act to propose an amendment to section five of article twenty of the Constitution of State of California, relative to fiscal year.

Referred to Committee on Judiciary.

Also: Senate Bill No. 344—An Act to add a new section to the Penal Code, to be numbered as section two hundred and eighty-three and one half, relative to time of marriage of divorced persons.

Referred to Committee on Judiciary.

Also: Senate Bill No. 345—An Act to repeal an Act entitled "An Act authorizing the Boards of Supervisors of the several counties of this State to declare innavigable streams highways for floating of logs and timber, and provide for the improvement and use of the same," approved March 7, 1889.

Referred to Committee on Harbors, Rivers, and Coast Defenses.

By Senator McGowan: Senate Bill No. 346—An Act to appropriate the sum of three thousand one hundred dollars to purchase adjacent lands at San Quentin for the use of the State Prison, together with the improvements thereon.

Referred to Committee on State Prisons and Prison Buildings.

Also: Senate Bill No. 347—An Act to amend an Act entitled "An Act to establish a Political Code," by adding thereto a new section, to be numbered three thousand seven hundred and forty-five, to precede section three thousand seven hundred and forty-six, and by amending section two thousand seven hundred and thirty-one thereof, all relating to the payment of taxes.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CLAIMS.

MR. PRESIDENT: Your Committee on Claims beg leave to make the following report:

First—That they have considered Senate Bill No. 172, and report the same back with an amendment, and recommend the passage of the bill as amended.

Second—That they have considered Senate Bill No. 54, and report the same back with an amendment, and recommend the passage of the bill as amended.

Third—That they have considered Senate Bill No. 269, and report the same back, and recomend its passage.

Fourth—That they have considered Senate Bill No. 88, and report the same back, and recommend its passage.

Fifth—The committee beg leave to report back Senate Bill No. 90—Entitled an Act to amend an Act entitled an Act to amend section six of an Act entitled "An Act concern-the waterfront of the city and county of San Francisco," approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners, approved March 17, 1880—without consideration, and recommend that said bill go to the Committee on Commerce and Navigation for their consideration.

HEACOCK, Chairman.

There being no objection, Senate Bill No. 90 was referred to the Committee on Commerce and Navigation.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Carpenter: Senate Bill No. 348—An Act making an appropriation to pay the claim of Wm. Derby.

Referred to Committee on Claims.

Also: Senate Bill No. 349—An Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State."

Referred to Committee on Agriculture, Viniculture, and Viticulture.

Also: Senate Bill No. 350—An Act to provide for the formation of new counties.

Referred to Committee on City, City and County, and Town Governments.

By Senator Preston: Senate Bill No. 351—An Act making an appropriation to pay the deficiency in the appropriation for the office of Secretary of State, and for the purchase of supplies and furniture, and for making necessary repairs in the several offices of the State Capitol.

Senator Preston asked that it be not referred, as he would ask its consideration before the noon hour.

Request granted.

Also: Senate Bill No. 352—An Act to amend sections one thousand five hundred and forty-eight, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and sixty, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and forty-nine, one thousand six hundred and sixty-two, one thousand six hundred and sixty-five, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, and one thousand seven hundred and ninety-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public schools.

Referred to Committee on Education and Public Morals.

By Senator Mahoney: Senate Bill No. 353—An Act to provide for furnishing assistants to every attorney and counselor, City Attorney, and City and County Attorney, and to each law officer of whatever official name he may be designated, officially conducting the civil litigation of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated as officers of each city, or city and county, and establishing the compensation and prescribing the duties of such assistants.

Referred to Committee on Judiciary.

By Senator Sprague: Senate Bill No. 354—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Referred to Committee on Judiciary.

Also: Senate Bill No. 355—An Act to amend section two thousand and thirty-one of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to the taking of depositions.

Referred to Committee on Judiciary.

Also: Senate Bill No. 356—An Act to amend section nine hundred and thirty-nine of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to appeals.

Referred to Committee on Judiciary.

Also: Senate Bill No. 357—An Act to amend section twenty of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, known as the Insolvent Act of 1880.

Referred to Committee on Judiciary.

By Senator Banks: Senate Bill No. 358—An Act making an appropriation to pay the Journal Clerk of the Senate, twenty-eighth session of the Legislature, and his assistants, for compiling the Journal of the Senate.

Referred to Committee on Claims.

Also: Senate Bill No. 359—An Act to equalize the compensation of the attorneys who were employed by the State of California in a United States case involving the Chinese Exclusion Act passed by Congress, to wit: the case of Chae Chan Ping vs. The United States, and making an appropriation therefor.

Referred to Committee on Claims.

Also: Senate Bill No. 360—An Act making an appropriation to pay the claim of Henry Hogan.

Referred to Committee on Claims.

Also: Senate Bill No. 361—An Act making an appropriation to pay the claim of C. C. Rochford, ex-Sheriff of Modoc County, for expenses incurred in the capture and arrest of J. R. Franklin, a murderer.

Referred to Committee on Claims.

Also: Senate Bill No. 362—An Act making an appropriation for reimbursing the Japanese Government for moneys expended in the extradition of Calvin Pratt, a fugitive from the justice of this State, and to provide for transmitting the same to Japan.

Referred to Committee on Claims.

Also: Senate Bill No. 363—An Act making an appropriation to pay the claims incurred by the Examining Commission on Rivers and Harbors, under the provisions of two hundred and seventy-two of the Statutes of California, 1889.

Referred to Committee on Claims.

Also: Senate Bill No. 364—An Act making an appropriation to pay the claim of "The California Spirit of the Times" for advertising the election proclamation.

Referred to Committee on Claims.

Also: Senate Bill No. 365—An Act making an appropriation to pay

the claim of Henry Mahler for services superintending the improvement of the grounds around the Marshall Monument.

Referred to Committee on Claims.

Also: Senate Bill No. 366—An Act making an appropriation to pay the claim of James A. Kearney, ex-Sheriff of San Benito County, for expenses incurred in conveying prisoner.

Referred to Committee on Claims.

By Senator Maher: Senate Bill No. 367—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State."

Referred to Committee on Corporations.

By Senator Hamill: Senate Bill No. 368—An Act to amend section two hundred and fifty-nine of the Code of Civil Procedure of the State of California, relating to the powers of Court Commissioners.

Referred to Committee on Judiciary.

INTRODUCTION OF JOINT RESOLUTION—(OUT OF ORDER).

By Senator Wilson, relative to the great corporations and giant monopolies.

Senator Wilson moved the adoption of the resolution.

Senator Simpson moved its reference to the Judiciary Committee.

Ayes and noes were demanded by Senators Ostrom, Berry, and Wilson.

Roll called, and the resolution was referred to the Judiciary Committee by the following vote:

AYES—Messrs. Bailey, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou Crandall, Dargie, De Long, Denison, Everett, Flint, Maher, McComas, Preston, Ragsdale Shippee, Simpson, Sprague, Streeter, and Voorhies—20.

NOES—Banks, Berry, Carpenter, Dray, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Mahoney, Mead, Ostrom, Seawell, Welch, Williams (W. H.), and Wilson—17.

RESOLUTION—(OUT OF ORDER).

By Senator Ostrom:

Resolved, That a Weekly History of all bills introduced be prepared, and that said history show the status and standing, also position of each Senate Bill at the issuance of such History; that a printed copy thereof be placed on each member's desk every Monday and Thursday during the session of the Legislature; that the President of the Senate be and is hereby authorized to appoint a clerk to so prepare such History and perform the duties required by the resolution, at a per diem of $5, said per diem being payable out of the appropriation for the contingent expenses of the Senate.

Senator Ostrom moved its adoption.

Senator Carpenter moved to amend by referring it to the Committee on Attachés, Contingent Expenses, and Mileage.

Ayes and noes were demanded by Messrs. Crandall, Bailey, and Voorhies.

Roll called, and Senator Carpenter's motion was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, and Voorhies—29.

NOES—Messrs. Berry, Hamill, Harp, Ostrom, Ragsdale, Welch, Williams (Wm. H.), and Wilson—8.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, January —, 1891.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Senate Bill No. 12—Repealing an Act declaring the Klamath river navigable—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHIES, Chairman.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, January 20, 1891.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 90—An Act to amend an Act entitled an Act to amend section six of an Act entitled "An Act concerning the waterfront of the City and County of San Francisco," approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners, approved March 17, 1880—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAHONEY, Chairman.

INTRODUCTION OF CONSTITUTIONAL AMENDMENT.

By Senator Sprague: Senate Constitutional Amendment No. 13—Relative to amending sections one, two, three, four, ten, twelve, seventeen, eighteen, twenty-three, and twenty-four of article six of the Constitution of the State of California, relating to the Judicial Department.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS—(OUT OF ORDER).

By Senator Maher:

Resolved, That Martin Steinmetz be and he is hereby appointed to attend to the lighting of the gas for the Senate at three dollars per day; and having performed such service since the opening of the present session,

Resolved, That the Controller be authorized to draw his warrant, payable out of the Contingent Fund of the Senate, in such sum, from January 6, 1891, and the Treasurer be authorized to pay the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Also:

Resolved, That the State Controller be and he is hereby requested to draw his warrant on the State Treasury in the sum of twenty-five ($25) dollars each, for Lieutenant-Governor J. B. Reddick, Senator Shippee, and Sergeant-at-Arms Rogers, the same to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Mr. Preston:

Resolved, That Senate Bill No. 351 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first and second times, upon one day, and placed upon its passage.

Adopted, and the constitutional provisions suspended by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (W. H.), and Wilson—32.

NOES—Mr. Campbell of Solano—1.

FIRST AND SECOND READINGS OF BILL—(OUT OF ORDER).

Senate Bill No. 351—An Act making an appropriation to pay the deficiency in the appropriation for the office of Secretary of State, and for the purchase of supplies and furniture, and for making necessary repairs in the several offices of the State Capitol.

Read first and second times.

Senator Carpenter moved to amend by striking out of section one, line one, the word "ten," and inserting the word "two."

Lost.

Bill ordered to engrossment and third reading.

RESOLUTION (OUT OF ORDER).

By Mr. Carpenter:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to pay the following bills: Union Ice Company, for ice furnished, ten dollars and fifty cents; Wangenheim, Steinman & Co., for two filters, thirty-five dollars and fifty cents; C. H. Gilman & Co., for two umbrella stands, twelve dollars and seventy-five cents; and John P. Hughes, for carpenter work done, eighteen dollars and forty-five cents. The same to be paid out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrant for same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

RECESS.

The hour of recess having arrived, the Senate took a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

REPORT OF COMMITTEE ON ENGROSSMENT.

The following committee report was received and read:

SACRAMENTO, January 20, 1891.

MR. PRESIDENT: Your Committee on Engrossment beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 10—An Act to amend sections six hundred and eighty-nine and five hundred and forty-nine of the Code of Civil Procedure of the State of California, relative to the claims by third persons of property levied upon under writs of execution and attachment, as to the procedure upon said claims, and as to the necessary prerequisites to their being received.

Also: Senate Bill No. 11—An Act to amend section six and to repeal section sixty-three of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to the appointment of receivers, and the care and disposition of the property of insolvent

debtors during the pendency of insolvency proceedings and before the election of an assignee.

Also: Senate Bill No. 13—An Act to amend section five hundred and thirty-two of the Penal Code, relating to the crime of obtaining money or property by false pretenses.

Also: Senate Bill No. 14—An Act to amend section seventy-two of the Penal Code relating to the fraudulent presentation of claims to public officers.

Also: Substitute for Senate Bills Nos. 18 and 25—An Act to amend sections one thousand one hundred and eighteen and one thousand two hundred and thirty-eight of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the dismissal of actions and to appeals.

Also: Senate Bill No. 29—An Act to amend section two hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, in relation to the adoption of children.

Also: Senate Bill No. 30—An Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and sixteen, three thousand eight hundred and sixty-six of "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be known as section three thousand seven hundred and fifty-seven, relative to the collection of property taxes.

Also: Senate Bill No. 32—An Act to amend section two thousand two hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, in relation to the office of Treasurer of the Deaf and Dumb and Blind Asylum.

RAGSDALE, Chairman.

THIRD READING OF BILLS.

The following bills were read a third time:

Senate Bill No. 10—An Act to amend sections six hundred and eighty-nine and five hundred and forty-nine of the Code of Civil Procedure of the State of California, relative to the claims by third persons of property levied upon under writs of execution and attachment, as to the procedure upon said claims, and as to the necessary prerequisites to their being received.

Roll called, and bill finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Everett, Fraser, Goucher, Harp, Langford, Maher, McComas, Mead, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—28.

NOES—None.

Title read and approved.

Senate Bill No. 11—An Act to amend section six and to repeal section sixty-three of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to the appointment of receivers, and the care and disposition of the property of insolvent debtors during the pendency of insolvency proceedings and before the election of an assignee.

Roll called, and the bill refused passage by the following vote:

AYES—Messrs. Broderick, Carpenter, Dray, Fraser, Heacock, Maher, and Williams (Geo. H.)—7.

NOES—Messrs. Bailey, Banks, Berry, Britt, Brynes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Everett, Flint, Goucher, Hamill, Harp, Mahoney, McComas, McGowan, Mead, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Wilson—27.

Senate Bill No. 13—An Act to amend section five hundred and thirty-two of the Penal Code, relating to the crime of obtaining money or property by false pretenses.

Roll called, and bill finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—36.
NOES—None.

Title read and approved.

Senate Bill No. 14—An Act to amend section seventy-two of the Penal Code, relating to the fraudulent presentation of claims to public officers.

Roll called, and bill finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Preston, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—33.
NOES—None.

On motion of Senator Carpenter, the bill was referred back to its author, as a committee of one, for the purpose of making the following correction in the title: Transpose the words "presentation of" and "fraudulent."

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, January 21, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 14—have had the same under consideration, and respectfully report its title has been amended as instructed.

CARPENTER, Committee.

Amendment adopted.

Title read and approved.

Senator Ostrom was granted permission to offer the following minority report:

MINORITY REPORT.

We, the undersigned, a minority of the Committee on Mines, Drainage, and Mining Debris, report that we are opposed to the passage of Senate Bill No. 12—An Act to repeal an Act declaring Klamath River navigable—because we are convinced that said Klamath River is navigable for a considerable distance.

OSTROM.
DRAY.

THIRD READING OF BILLS—(RESUMED).

Substitute Bill for Senate Bills Nos. 18 and 25—An Act to amend sections one thousand one hundred and eighteen and one thousand two hundred and thirty-eight of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the dismissal of actions and to appeals.

Roll called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, and Voorhies—24.
NOES—Messrs. Berry, Britt, Byrnes, Campbell of Solano, Goucher, McGowan, Mead, Ostrom, Welch, Williams (Wm. H.), and Wilson—12.

Senator Seawell gave notice that he would move a reconsideration of the bill to-morrow.

Title read and approved.

On motion of Senator Crandall, Senate Bill No. 29 was referred to Senator Bailey, a special committee of one, for correction.

So ordered.

REPORT OF SPECIAL COMMITTEE.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 29, respectfully report that it has amended said bill in accordance with your instructions, by striking out the words "whose parents are unknown," at the end of section two hundred and twenty-four.

BAILEY.

Report adopted, and the bill ordered to be printed.

President Reddick took the chair, and made the following announcement:

SUPPLEMENTAL AND ADDITIONAL COMMITTEE APPOINTMENTS.

Committee on Irrigation and Water Rights—Messrs. Shippee, Carpenter, Ragsdale, and Harp.

Committee on Public Buildings other than Prison Buildings—Messrs. Shippee, W. H. Williams, Dray, and Ragsdale.

Committee on Labor and Capital—Messrs. McGowan, De Long, W. H. Williams, and Britt.

Committee on City, City and County, and Town Governments—Messrs. Maher and Welch.

Committee on Federal Relations and Immigration—Messrs. G. J. Campbell and Harp.

Committee on Roads and Highways—Mr. Shippee.

President pro tem. Fraser in the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, January 21, 1891.

MR. PRESIDENT: Your Committee on State Library and Rules, who have had under consideration the formulation of rules for this body, respectfully submit herewith the proposed rules.

McGOWAN, Chairman.

STANDING RULES OF THE SENATE.

I.—OPENING OF THE DAILY SESSIONS.

The time of meeting of the Senate, commencing Tuesday, January 13, 1891, shall be eleven o'clock A. M. until February 16, 1891 (Sundays excepted), and in case any other is named, it shall be applicable only to one day, and shall not affect this rule beyond the day named for a different hour of meeting; and a recess shall be taken from twelve o'clock M. to one o'clock and thirty minutes P. M.; *provided*, that on Mondays the time of meeting shall be two o'clock P. M. After February 16, 1891, the time of meeting of the Senate shall be ten o'clock, and a recess shall be taken from twelve o'clock and thirty minutes P. M. to two o'clock P. M.

II.—CALLING TO ORDER—READING JOURNAL.

The President shall call the Senate to order at the stated hour, and, if a quorum be present, he shall order read the Journal of the proceedings of the preceding day.

III.—PRESIDENT PRO TEM.—HIS POWERS AND PRIVILEGES.

The President pro tem. shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tem. shall vote only as any other member of the Senate.

IV.—ATTENDANCE, DUTIES, AND OBLIGATIONS OF SENATORS.

No Senator shall absent himself from the service of the Senate without leave first obtained. A less number than a quorum of the Senate are hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators, as the majority of such Senators present shall agree, at the expense of such absent Senators,

respectively, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened, shall judge sufficient, and in that case the expense shall be paid out of the Contingent Fund; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of the Senate, or of less than a quorum thereof, shall have the power to issue process, directed to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process, unless sick or unable to attend, shall be deemed guilty of a contempt of the Senate, and the Sergeant-at-Arms, or any other person to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county or of any county in the State.

V.—ORDER OF BUSINESS.

After the reading and approving of the Journal, the order of business shall be as follows:

1. Presentation of Petitions.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Messages from the Governor.
5. Messages from the Assembly.
6. Introduction of Bills.
7. Special File.
8. Third Reading of Bills.
9. Second Reading of Bills.
10. Motions, Resolutions, and Notices.
11. First Reading of Bills.
12. Unfinished Business of the preceding day.
13. Special Orders of the day.
14. Reports from the Committee on Enrollment and on Engrossment shall at all times be in order; *provided*, that the messages from the Governor, State officers, and from the Assembly may, on motion of any Senator, be considered at any time.

VI.—INTRODUCTION AND READING OF BILLS.

Any Senator desiring to introduce a bill, shall rise in his place and address the President, and upon being recognized, shall present the same; and the title shall be announced from the Secretary's desk, when it shall be referred to a standing committee, and be printed, and a copy be placed on each member's desk. Every bill shall be read on three several days previous to its passage, unless, in case of urgency, two thirds of the Senate shall, by vote of ayes and noes, dispense with this provision, and the last reading shall be at length. The President shall give notice at each reading whether it be the first, second, or third, and no bill shall be read at either reading until the Senate has so determined by a vote. Joint and concurrent resolutions shall be read but once, unless the Senate, by a majority vote of all the Senators present, otherwise directs.

VII.—THE GENERAL FILE; ITS HOURS—SPECIAL ORDER OF BILLS ON FILE.

The General File shall be the special order for each day from two o'clock until three o'clock and thirty minutes P. M., unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration; and this order shall take precedence of all others.

VII½.—CLERKS OF COMMITTEES.

1. (Room 16)—Clerk of Committee on Agriculture, Viniculture, and Viticulture—M. G. Fraser.
2. (Room 13)—Clerk of Committee on Corporations—Miss Ida Sanford.
3. (Room 13)—Clerk of Committee on Claims—Z. F. Wheaton.
4. (Room 57)—Clerk of Committee on Education and Public Morals—P. M. Fisher.
5. (Room 57)—Clerk of Committee on Finance—L. Du Jardin.
6. (Room 55)—Clerk of Committee on Hospitals—M. W. Simpson.
7. (Room 16)—Clerk of Committee on Irrigation and Water Rights—H. A. Campbell.
8. (Room 41)—Clerks of Committee on Judiciary—W. F. George and N. C. Hanscomb.
9. (Room 13)—Clerk of Committee on Mines, Drainage, and Mining Debris—Mrs. A. B. Campbell.
10. (Room 16)—Clerk of Committee on Commerce and Navigation—Jos. F. O'Berine.
11. (Room 13)—Clerk of Committee on Constitutional Amendments, and Banks and Banking—A. D. Crandall.
12. (Room 14)—Clerk of Committee on Forestry, Yosemite Valley, Mariposa Big Trees, Fish, and Game—Miss L. Stoffles.
13. (Room 57)—Clerk of Committee on Harbors, Rivers, and Coast Defenses—Thos. H. Whitney.
14. (Room 57)—Clerk of Committee on Public Buildings other than Prison Buildings—Miss H. Woods.
15. (Room 14)—Clerk of Committee on Public, Swamp, and Overflowed Lands—W. M. Sims.

16. (Room 55)—Clerk of Committee on Labor and Capital—C. W. Adams.
17. (Room 55)—Clerk of Committee on Attachés and Contingent Expenses—E. F. Mitchell.
18. (Room 16)—Clerk of Committee on Apportionment and Representation—F. P. Kelly.
19. (Room 57)—Clerk of Committee on City, City and County, and Town Governments—H. A. Melvin.
20. (Room 16)—Clerk of Committee on Counties, County Government, and Township Organization—J. C. Crooks.
21. (Room 13)—Clerk of Committee on Elections—Miss Gertrude Berding.
22. (Room 57)—Clerk of Committee on Enrolled and Engrossed Bills—Chas. H. Ragsdale.
23. (Room 14)—Clerk of Committee on Federal Relations and Immigration—Mrs. Geo. Baum.
24. (Room 55)—Clerk of Committee on Military Affairs—Miss E. Burks.
25. (Room 55)—Clerk of Committee on Public Printing—Wm. H. Carlson.
26. (Room 14)—Clerk of Committee on Roads and Highways—C. P. Bailey.
27. (Room, State Library)—Clerk of Committee on State Library and Rules—R. C. Walsh.
28. (Room 16)—Clerk of Committee on State Prisons and Prison Buildings—T. G. Peachy.

VIII.—ORDER MAKING SPECIAL FILE.

The Secretary shall, from time to time, make up a file to be known as the Special File, on which he shall place bills relating to appropriations for the support of the State Government and State institutions, revenue, and constitutional amendments, in the order named, and in the order in which the same may be reported to the Senate, and he shall place no other bills thereon.

VIII½.

Senate bills, or bills that have passed the Assembly and have been acted upon favorably by the proper Senate committee, to the passage of which there is no objection, may, on Thursday of each week, be called up as a special order, immediately after roll call, and may be passed the several readings under a suspension of the constitutional provision; and a motion to suspend such provision shall be in order. If any ten Senators shall object to the consideration of any bill under this rule, such bill shall be set aside, retaining its position on the file, and shall not be considered that day.

IX.—SECRETARY TO POST GENERAL FILE DAILY.

The Secretary shall post each morning, in a conspicuous place, and place upon the desk of each Senator, a list of all bills upon the General File, giving their order, and also setting forth their number, and so much of their title as necessary to enable the Senators to understand their general purport.

X.—ENGROSSED BILLS TO BE EXAMINED AND REPORTED.

All bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossed Bills, the engrossed copy to be transmitted to the Assembly, with the proper indorsements, and the original retained by the Senate.

XI.—ENGROSSED BILLS HAVE PREFERENCE.

All bills, after the second reading (if the same be not committed, then upon being reported), shall be placed upon a General File, and shall be taken up for consideration and passage in the order of their being placed on the file; *provided*, that engrossed bills shall take precedence of bills not engrossed.

XII.—AMENDMENTS AND SUBSTITUTES.

Substitutes may be offered at any time when a bill or resolution is open to amendment, previous to engrossment, and when adopted shall take the place of the original bill or resolution, and shall be open to amendment.

XIII.—AMENDMENTS AND SUBSTITUTES MUST BE GERMANE.

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment or substitute.

XIV.—LEAST SUM AND SHORTEST TIME IN FILLING BLANKS.

In filling up blanks, the least sum or number and the shortest time shall be put first.

XV.—SHORT OF FINAL QUESTION, TWO-THIRDS VOTE NOT REQUISITE ON PROPOSITIONS TO AMEND CONSTITUTION.

When an amendment to the Constitution, or any bill requiring the concurrence of two thirds of the Senators, is under consideration, the concurrence of two thirds shall not be required to decide any question for amendment, or extending to the merits, being short of the final question.

XVI.—STANDING COMMITTEES.

The following Standing Committees shall be appointed:

1. Committee on Agriculture, Viniculture, and Viticulture, to consist of nine members.
2. Committee on Apportionment and Representation, to consist of nine members.
3. Committee on City, City and County, and Town Governments, to consist of nine members.
4. Committee on Commerce and Navigation, to consist of seven members.
5. Committee on Constitutional Amendments and Banks and Banking, to consist of seven members.
6. Committee on Corporations, to consist of eleven members.
7. Committee on Claims, to consist of seven members.
8. Committee on Counties, County Government, and Township Organization, to consist of nine members.
9. Committee on Education and Public Morals, to consist of seven members.
10. Committee on Elections, to consist of seven members.
11. Committee on Enrolled and Engrossed Bills, to consist of seven members.
12. Committee on Federal Relations and Immigration, to consist of seven members.
13. Committee on Finance, to consist of seven members.
14. Committee on Forestry, Yosemite Valley, and Mariposa Big Tree Grove, and Fish and Game, to consist of five members.
15. Committee on Harbors, Rivers, and Coast Defenses, to consist of five members.
16. Committee on Hospitals, to consist of five members.
17. Committee on Irrigation and Water Rights, to consist of thirteen members.
18. Committee on Judiciary, to consist of eleven members.
19. Committee on Labor and Capital, to consist of nine members.
20. Committee on Mines, Drainage, and Mining Debris, to consist of seven members.
21. Committee on Military Affairs, to consist of seven members.
22. Committee on Public Buildings other than Prison Buildings, to consist of eleven members.
23. Committee on Public Printing, to consist of three members.
24. Committee on Public and Swamp and Overflowed Lands, to consist of five members.
25. Committee on Roads and Highways, to consist of seven members.
26. Committee on State Library, and on Rules, to consist of three members.
27. Committee on State Prisons and Prison Buildings, to consist of nine members.
28. Committee on Attachés, Contingent Expenses, and Mileage, to consist of five members.

XVI½.

No leave of absence shall be granted to any greater number than three of any standing or special committee, for the purpose of visiting any public building or institution, except by a two-thirds vote of the entire Senate.

XVII.—COMMITTEES APPOINTED BY THE PRESIDENT PRO TEM. OF THE SENATE.

All committees of the Senate, standing and special, and all joint committees on the part thereof, shall be appointed by the President pro tem. of the Senate, unless otherwise specially ordered.

XVIII.—CLERKSHIPS OF COMMITTEES.

No special or standing committee shall elect a Clerk or Sergeant-at-Arms without permission of the Senate.

XIX.—ORDER OF QUESTIONS ON MOTION TO REFER.

When a resolution shall be offered, or a motion made to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

XX.—CLAIMS ON CONTINGENT FUND MUST GO TO THE COMMITTEE ON CONTINGENT EXPENSES.

No claim shall be paid out of the Contingent Fund of the Senate until the same shall have been referred to and reported on by the Committee on Contingent Expenses.

XXI.—ORDER OF PRIVILEGED QUESTIONS UNDER DEBATE.

When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

XXII.—MOTION NOT TO BE DEBATED UNTIL SECONDED AND ANNOUNCED.

No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing, if desired by the President or any Senator, and read by the Secretary before the same shall be debated. A motion may be withdrawn at any time before amendment.

XXIII.—READING OF A PAPER, IF OBJECTED TO, DETERMINED WITHOUT DEBATE.

When the reading of a paper is called for (except petitions), and the same is objected to by any Senator, it shall be determined by a vote of the Senate without debate. But this rule is not applicable to any bill, resolution, amendment, or other proposition which may be at the time directly under consideration.

XXIV.—SENATORS MUST ADDRESS THE PRESIDENT.

Every Senator, when he speaks, shall, standing in his place, address the President, and when he has finished he shall sit down. No Senator shall speak more than twice in any one debate on the same day and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) to the exclusion of another who has not spoken.

XXV.—THE SENATOR ENTITLED TO FLOOR.

When two or more Senators rise at once, the President shall name the Senator who is to speak first.

XXVI.—SENATOR WHEN CALLED TO ORDER MUST SIT DOWN.

When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the exceptional language shall immediately be taken down in writing.

XXVII.—FINAL QUESTION ON SECOND READING OF BILLS—NO AMENDMENT ON THIRD READING, BUT MAY COMMIT.

The final question on the second reading of every bill originating in the Senate, and requiring three readings previous to being passed, shall be: "Shall the bill be engrossed and read a third time?" And no amendment shall be received for discussion at the third reading of any bill, but it shall at all times be in order, before the final passage of such bill, to move its commitment under special instructions.

XXVIII.—AYES AND NOES—MEMBERS MUST ANSWER—NO VOTE AFTER ANNOUNCEMENT OF VOTE.

When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put, shall declare openly and without debate, his assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the decision is announced from the Chair.

XXIX.—NOTICE OF RECONSIDERATION.

On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any Senator; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken by a Senator voting with the majority; and it shall not be in order for any Senator to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session.

XXX.—SECRETARY, UPON NOTICE OF RECONSIDERATION, NOT TO REPORT BILL TO ASSEMBLY.

If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not report the bill or resolution to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired.

XXXI.—TITLES OF BILLS MUST BE IN JOURNAL.

The titles of bills, and such parts thereof only as shall be affected by proposed amendments, shall be inserted in the Journal.

XXXII.—WHEN NOT IN COMMITTEE OF THE WHOLE, PROCEEDINGS MUST BE ENTERED IN JOURNAL. VOTES ALWAYS ENTERED.

The proceedings of the Senate, when not acting as Committee of the Whole, shall be entered on the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings; but every vote of the Senate shall be entered on the Journal, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate, shall also be inserted in the Journal.

XXXIII.—RULES IN SENATE AND COMMITTEE OF THE WHOLE.

The rules of the Senate shall be observed in Committee of the Whole, so far as may be applicable, except limiting the number of times of speaking, and except that the ayes and noes shall not be taken.

XXXIV.—CASES NOT PROVIDED FOR, CUSHING TO GOVERN.

In all cases not provided for by these rules, the Senate shall be governed by the law and practice as laid down in Cushing's Law and Practice of Legislative Assemblies.

XXXV.—SUSPENDING AND CHANGING RULES.

No standing rule or order of the Senate shall be rescinded or changed, without a vote of three fifths, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of three fifths of the Senators present, except that portion of Rule Six relating to the final passage of bills. All proposed amendments to these rules shall be referred to the Committee on Rules, without debate.

XXXVI. POWERS AND PREROGATIVES OF PRESIDENT.

The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the Journals, papers, and bills of the Senate, he shall see that all officers of the Senate perform their respective duties, and may assign places to reporters.

XXXVII.—PRESIDENT MAY ORDER LOBBIES CLEARED.

In case of a disturbance, or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have power to order the same to be cleared.

XXXVIII.—PRESIDENT MAY CALL SENATORS TO THE CHAIR.

The President shall have the right to name any Senator to perform the duties of the Chair, who is hereby vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

XXXIX. -SERGEANT-AT-ARMS.

A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof as shall be directed to him by the President. The actual expenses of the Sergeant-at-Arms, for every arrest, for each day's custody and releasement, and for traveling expenses for himself and special messenger, going and returning, shall be paid out of the Contingent Fund, and no other fees shall be paid him beyond his per diem. It shall be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators, to prepare checks, and, if required so to do, draw the money on such checks for the Senators (the same being previously signed by the President, and indorsed by the Senator or person to whom the check is made), and pay over the same to the Senator or person entitled thereto.

XL.—MESSENGERS—WHEN INTRODUCED.

Messengers are introduced in any state of business, except while a question is being put, while the ayes and noes are being called, or while the ballots are being counted.

XLI.—DOORKEEPER.

It shall be the duty of the Doorkeeper to prohibit all persons except Senators, members of the Assembly, State officers, officers of the two Houses, and such reporters as have seats assigned them by the President, from coming within the bar of the Senate, unless invited by the President or a Senator, and to arrest for contempt all persons outside the bar, or in the gallery, found engaged in loud conversation, or otherwise making a noise, to the disturbance of the Senate.

XLII.—EXECUTIVE NOMINATIONS.

When nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be, unless the Senate shall by a majority vote otherwise direct, acted upon at once.

XLIII.—PRINTING.

Five hundred copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity, before payment shall be made or bills audited therefor. Two copies of each bill or paper printed by order of the Senate shall be delivered to each Senator, and a number equal to the committee to whom such bill is referred, and the balance shall be distributed according to law.

XLIV.—NUMBER OF COPIES TO BE PRINTED.

Three hundred and sixty copies shall be printed of each document or other matter ordered, unless the Senate specially direct a different number.

XLV.—SECRET SESSION.

On a motion, made and seconded, to close the doors of the Senate on the discussion of any business which may, in the opinion of the Senate, require secrecy, the President shall require all persons, except the Senators, Secretaries, Sergeant-at-Arms, and Doorkeeper of the Senate, to withdraw, and during the discussion of said motion the doors shall remain closed; and every member and officer of the Senate shall keep secret all such matters, proceedings, and things, whereof secrecy shall be enjoined by order of the Senate.

XLVI.—ORDER OF ENGROSSING AND ENROLLING BILLS.

All bills ordered engrossed shall be delivered to the Engrossing Clerk by the Secretary of the Senate, and the receipt, in writing, of the Engrossing Clerk taken therefor; and all said bills shall be engrossed in the order of their receipt, by said Engrossing Clerk; and all Senate bills shall, after their final passage by and receipt from the Assembly, be delivered to the Enrolling Clerk by the Secretary of the Senate in the order of their receipt from the Assembly, and the receipt, in writing, of said Enrolling Clerk taken therefor; and said bills shall be enrolled by the Enrolling Clerk in the order of their receipt from the Secretary of the Senate.

XLVII.—PRINTING THE DAILY JOURNAL.

The Superintendent of State Printing shall print a sufficient number of copies of the Journal of every day's proceedings of the Senate, to supply Senators, daily, during the session, with the Journal of the previous day's proceedings; and, also, a sufficient number of copies, with proper repaging, to bind at the end of the session of the Legislature, in book form, as the Journal of the Senate, required by law.

XLVIII.—AUTHOR TO SPEAK LAST.

The author of a bill, motion, or resolution, shall have the privilege of closing the debate.

XLIX.

All committees of the Senate shall report their action on all bills or matters referred to them within five days after reference, unless otherwise specially ordered.

L.—FORM OF PREVIOUS QUESTION—CALL OF SENATE.

The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the Senators present upon division, and its effect shall be to put an end to all debate and bring the Senate to a direct vote upon amendments reported by a committee, if any, upon pending amendments, and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the Senate shall be in order; but after a majority of Senators shall have seconded such motion, no call shall be in order prior to the decision of the main question.

Senator McGowan moved that the rules be printed without being read. So ordered.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Ostrom: Senate Bill No. 369—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one

hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and thirteen, one thousand two hundred and fourteen, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two hundred and fifty-nine of the Political Code, and to add three new sections thereto, to be numbered one thousand two hundred and fifteen, one thousand two hundred and sixteen, and one thousand two hundred and seventeen, in relation to the methods of making nominations for office, the mode of conducting elections, and making returns thereof in this State.

Referred to Committee on Elections.

By Senator Harp: Senate Bill No. 370—An Act to amend section one hundred and ninety-one of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to salary of the Deputy Superintendent of Schools of counties of the twenty-ninth class.

Referred to Committee on City, City and County, and Town Governments.

By Senator Simpson: Senate Bill No. 371—An Act to provide for the erection and furnishing of a Superintendent's residence, for the purchase of laundry machinery, for reflooring the female asylum building, and for the permanent improvement of the walks and driveways on the grounds of the State Asylum for the Insane at Stockton, and to appropriate money therefor.

Referred to Committee on State Hospitals.

Also: Senate Bill No. 372—An Act making an appropriation to pay the deficiency in the appropriation for support of the State Insane Asylum at Stockton, for the forty-first and forty-second fiscal years.

Referred to Committee on Finance.

By Senator Langford: Senate Bill No. 373—An Act to amend section one of an Act approved March 30, 1878, entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," as amended and approved March 10, 1887.

Referred to Committee on Constitutional Amendments and Banks and Banking.

By Senator Campbell of Siskiyou: Senate Bill No. 374—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections

one, two, three, four, eleven, twelve, thirty-five, and forty-two thereof, relating to irrigation districts.

Referred to Committee on Irrigation.

By Senator Dargie: Senate Bill No. 375—An Act authorizing the Attorney-General to dismiss those certain actions pending in the Superior Court of the City and County of San Francisco, and numbered eleven thousand seven hundred and six, eleven thousand nine hundred and twenty-five, and eleven thousand nine hundred and twenty-six, upon payment to him for the use of the State of certain moneys.

Referred to Committee on Judiciary.

MESSAGE FROM THE GOVERNOR.

Senator De Long moved to take up the Governor's message.

So ordered.

The following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 21, 1891.

To the Senate of the State of California:

I do hereby nominate Obed Harvey, of the county of Sacramento, to be a member of the Board of Directors of the Insane Asylum at Stockton, vice self, and respectfully request your consent to his appointment.

I hereby nominate A. P. Overton, of the county of Sonoma, to the office of Trustee to the California Home for Feeble-Minded Children, vice self, and respectfully request your consent to his appointment.

I do hereby nominate Warren Olney, of the county of Alameda, to be a Trustee for the Deaf, Dumb, and Blind Asylum, vice self, and respectfully request your consent to his appointment.

H. H. MARKHAM, Governor.

On motion of Senator De Long, the message was made a special order for to-morrow at two o'clock P. M.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, January 21, 1891.

MR. PRESIDENT: Your Committee on Engrossment beg leave to report that the following Senate Bill has been correctly engrossed: Senate Bill No. 351—An Act making an appropriation to pay the deficiency in the appropriation for the office of Secretary of State, and for the purchase of supplies and furniture, and for making necessary repairs in the several offices of the State Capitol.

RAGSDALE, Chairman.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 32—An Act to amend section two thousand two hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, in relation to the office of Treasurer of the Deaf and Dumb and Blind Asylum.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Hamill, Heacock, Langford, Maher, McComas, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.

NOES—Messrs. Carpenter, Goucher, Harp, Mahoney, Ostrom, and Wilson—6.

Title read and approved.

Senate Bill No 30—An Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and sixteen, three thousand eight hundred and sixty-six, and three thousand eight hundred and sixty-eight of "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be known as section three thousand seven hundred and fifty-seven, relative to the collection of property taxes.

On motion of Senator Dray, the bill was referred to a special committee of three, to be appointed by the Chair.

The Chair appointed Senators Crandall, Carpenter, and De Long.

On motion of Senator Crandall, Senators Ragsdale and McGowan were added to the committee.

On motion of Senator Goucher, Senators Seawell and Ostrom were added to the committee, this committee to report on the consistency of its provisions with the present laws, which will be undisturbed should the bill become a law.

On motion of Senator Campbell of Solano, Senate Joint Resolution No. 2—Relative to the establishment of a gun factory at Benicia—was taken up, read, and adopted.

On motion of Senator Campbell, the Secretary was then instructed to transmit the resolution to the Assembly immediately.

Senator Maher moved that all bills favorably reported by committees this day be read for the first time.

So ordered.

FIRST READING OF BILLS—(OUT OF ORDER).

The following bills were read first time:

Senate Bill No. 9—An Act to provide for the payment of the repairs upon the quarantine launch "Gov. Perkins."

Referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 72—An Act regulating the form of requisitions for stationery made by members of the Legislature, and the officers and employés thereof, upon the Secretary of State.

Also: Senate Bill No. 84—An Act to regulate the practice of pharmacy and sale of poisons in the State of California.

Also: Senate Bill No. 90—An Act to amend an Act entitled "An Act to amend section six of an Act entitled 'An Act concerning the water-front of the City and County of San Francisco,' approved March 15, 1878, and to confer further powers upon the State Board of Harbor Commissioners," approved March 17, 1889.

Also: Senate Bill No. 91—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and furnishing by the Board of State Harbor Commissioners of a general ferry and passenger depot in the City and County of San Francisco; to create a Sinking Fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people.

Also: Senate Bill No. 113—An Act to authorize the establishment of County High Schools, and provide for their support.

Also: Senate Bill No. 154—An Act authorizing school districts, cities, cities and counties, or incorporated towns in the State of California, to furnish the pupils of their respective public schools with free use of school text-books.

RESOLUTION—(OUT OF ORDER).

By Senator Mahoney:

Resolved, That when the Senate adjourns, it do so out of respect for the memory of the late King Kalakaua, who was always a friend of America and American institutions.

Adopted.

A motion to adjourn by Senator Goucher was lost.

On motion of Senator Goucher, further reading of bills not on file was discontinued.

A motion to adjourn by Senator Goucher was lost.

A motion for a call of the Senate by Senator Sprague was lost.

ADJOURNMENT.

At three o'clock and thirty-five minutes P. M., on motion of Senator Goucher, the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, January 22, 1891.

Senate met pursuant to adjournment.

President pro tem. Fraser in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by the Rev. A. C. Herrick.

READING OF THE JOURNAL.

Journal of yesterday read, corrected, and approved.

REPORTS OF STANDING COMMITTEES.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, January 22, 1891.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 240—An Act to amend sections three thousand and seventy-seven, three thousand and seventy-eight, three thousand and eighty, and three thousand and eighty-two of an Act

entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the registry of births, marriages, and deaths—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 241—An Act to appropriate money for the erection of a State hospital for lepers.

Also: Senate Bill No. 256—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Have had the same under consideration, and respectfully report the same back, and recommend that they pass.

SIMPSON, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, January 22, 1891.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 108—An Act to amend the Penal Code of California, by adding a new section thereto, to be known as section three hundred and eight, relating to the sale or furnishing of tobacco, or preparations thereof, to persons under sixteen years of age—have had the same under consideration, and respectfully report the same back without recommendation.

DENISON, Chairman.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, January 21, 1891.

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. 115—An Act to authorize the Adjutant-General to issue arms and accouterments to regularly organized Camps of the Order of Sons of Veterans in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 117—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention, in the public service, and upon public works of the State of California, of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EVERETT, Chairman.

REPORT OF SPECIAL COMMITTEE.

MR. PRESIDENT: Your Select Committee, to whom was referred Senate Bill No. 30—An Act to provide for the collection of taxes by installments—for the purpose of ascertaining whether the provisions of said bill were in conflict with other sections of the Political Code, have had the same under consideration, and respectfully report that they have examined the sections of the Political Code upon the subject under consideration as well as they could in the time allotted to them, and find that in the opinion of your committee the said bill is not in conflict with other provisions of the Political Code concerning the collection of taxes.

Your committee also recommend that the bill be recommitted to a committee of one, consisting of Senator De Long, with instructions to amend the bill by inserting after the word "taxes," at the end of the title of the bill, the words "and providing for the payment of taxes by installments;" also by striking out the word "June," in line six, section twelve, and inserting in lieu thereof the word "May," and by striking out the words "chapter eight" in line eight, section twelve, and that the bill so amended be printed for further consideration.

CRANDALL, Chairman.

Adopted.

Senator Dray moved to instruct Special Committee, just appointed, to amend further by striking out of section six, line three, the words "on or before," and inserting the following: "on or within five days before or after."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, January 22, 1891.

MR. PRESIDENT: Your Special Committe of one, to whom was referred Senate Bill No. 30, with instructions to amend as follows:

Insert after the word "taxes," at the end of the title of the bill, the words "and providing for the payment of taxes by installments," and by striking out the word "June," in line six, section twelve, and inserting in lieu thereof the word "May," and by striking out the words "chapter eight," in line eight, section twelve.

Also: Strike out of section six, line three, the words "on or before," and insert the following in lieu thereof: "on or within five days before or after"—has had the same under consideration, and respectfully report the same back amended according to instructions.

DE LONG, Committee.

Report adopted, and the bill ordered printed.

COMMUNICATION FROM THE SECRETARY OF STATE.

STATE OF CALIFORNIA, DEPARTMENT OF STATE,
SACRAMENTO, January 21, 1891.

To the Senate of California:

I have the honor of transmitting, for distribution among the members of your honorable body, copies of the census of the State for 1890, arranged by cities, counties, and townships, and separately returned as regards color. The same has been reprinted from an official copy furnished by Robert P. Porter, Superintendent of the Census.

E. G. WAITE,
Secretary of State.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 22, 1891.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bills Nos. 127 and 128—Entitled, respectively, an Act to provide for the levy and collection of taxes by and for the use of municipal corporations, and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes; and an Act to provide for the levy and collection of taxes by and for school districts, except in municipal corporations of the first class—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 80—Entitled "An Act to increase the police force of the various cities, and cities and counties, of the State, and to provide for the appointment of such extra police officers, and for the payment of their salaries"—do recommend that section one of said bill be amended to read as follows:

The Board of Supervisors or Common Council of a city, or city and county, of the State, *of the first, second, third or fourth class*, are hereby authorized and empowered to increase the police force, limited not to exceed one officer for every five hundred of population of their respective cities, or cities and counties, from time to time as may be deemed necessary by said Common Council or Board of Supervisors, said additional police force to be appointed by the Board of Police Commissioners or other Board or authority now by law empowered to appoint police officers in their respective cities, or cities and counties.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 149—Entitled an Act to amend section seven hundred and ninety-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DARGIE, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 22, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That a Weekly History of all bills introduced be prepared, and that said History show the status and standing, also position of each Senate Bill at the issuance of such History; that a printed copy thereof be placed on each member's desk every Monday and Thursday during the session of the Legislature; that the President of the Senate be and is hereby authorized to appoint a clerk to so prepare such History and perform the duties required by the resolution, at a per diem of five dollars, said per diem being payable out of the appropriation for the contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that do pass as amended. Amended resolution herewith submitted.

BYRNES, Chairman.

RESOLUTION.

Resolved, That J. C. Medley be and he is hereby appointed History Clerk of the Senate, to prepare a semi-weekly History of all Senate Bills, Joint Resolutions, and Constitutional Amendments, to be issued on Thursdays and Mondays of each week, and to assist as clerk at the desk when not engaged in preparing said History, at a per diem of five dollars, the same to be paid out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrant for the same, in accordance with this resolution.

BRYNES, Chairman.
MAHER.
BODERICK.

Adopted by the following vote:

AYES—Messrs. Bailey, Banks, Byrnes, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Hamill, Heacock, Langford, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—27.
NOES—Messrs. Goucher, Harp, and Seawell—3.

RESOLUTION.

By Senator Maher:

Resolved, That J. Steppacher be and he is hereby appointed the Clerk of the San Francisco delegation, the same to consist of the members from the City and County of San Francisco, the said Steppacher to act also as the Assistant Clerk of the Committee on Apportionment, at a per diem of five dollars, payable out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrant for the same.

Senator Maher moved its adoption.

Senator Goucher moved that it be referred to the Committee on Attachés, Contingent Expenses, and Mileage.

Lost.

Roll called, and the resolution was then adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Harp, Heacock, Langford, Maher, Mahoney, McGowan, Mead, Ragsdale, Seawell, Shippee, Simpson, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—31.
NOES—Mr. Goucher—1.

Senator Seawell moved the reconsideration whereby substitute for Senate Bills Nos. 18 and 35 was finally passed on January twenty-first.

Adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Byrnes, Crandall, Goucher, Hamill, Harp, Langford, McComas, McGowan, Mead, Ostrom, Seawell, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—21.
NOES—Messrs. Bailey, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dray, Everett, Fraser, Mahoney, Ragsdale, Sprague, and Voorhies—12.

RESOLUTION—(OUT OF ORDER).

By Mr. De Long.

Resolved, That Senate Bill No. 208 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, upon one day, and placed upon its passage.

Adopted by the following vote:

AYES—Messrs. Banks, Broderick, Brynes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.
NOES—Messrs. Bailey, Berry, Goucher, Harp, Ostrom, Seawell, and Wilson—7.

SECOND AND THIRD READING OF BILL.

Senate Bill No. 208—An Act giving the consent of the State of California to the reservation of certain lands by Congress.

On the motion to consider the bill engrossed, read the third time, and place on its final passage, Senators Ostrom, Wilson, and Berry demanded the ayes and noes.

The motion was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.

NOES—Messrs. Berry, Britt, Harp, Ostrom, Seawell, Sprague, and Wilson—7.

Bill read a third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—Messrs. Berry, Britt, Harp, Ostrom, Seawell, and Wilson—6.

Senator Goucher was excused from voting.

Title read and approved.

REPORT OF STANDING COMMITTEES—(OUT OF ORDER).

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, January 22, 1891.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Joint Resolution No. 2—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Joint Resolution No. 5—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Joint Resolution No. 1—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WILLIAMS, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 21, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 75—Entitled "An Act to add a new section to the Political Code, to be known and designated as section four thousand three hundred and thirty-four, relating to the duties of officers"—have had the same under consideration, and respectfully report the same back, and recommend that a substitute hereunto returned with said bill do pass.

Also: Senate Bill No. 69—Entitled "An Act to amend section one thousand three hundred and twenty-nine of the Penal Code of the State of California, relative to the payment of the necessary expenses of witnesses in criminal cases."

Also: Senate Bill No. 114—Entitled an Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors at law.

Also: Senate Bill No. 118—Entitled an Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Constitutional Amendment No. 10—Entitled "An Act to submit to the people of the State of California an amendment to section two (2), article four (4), of the Constitution of the State of California"—have had the same under consideration, and respectfully report the same back, and recommend it be adopted.

SPRAGUE, Chairman.

SPECIAL REPORT OF JUDICIARY COMMITTEE.

SENATE CHAMBER, SACRAMENTO, January 22, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred the question as to whether the Governor has power to withdraw names sent to the Senate by his predecessor for confirmation before the Senate has acted thereon, have considered the same, and respectfully report that in their opinion the appointment to office which the Governor is authorized to make with the consent of the Senate, is an executive function vested by the Constitution and laws of this State solely in the Governor, and that the Governor in office, as to such appointments, may, at his discretion, withdraw names sent to the Senate by his predecessor, for confirmation, or substitute others in place of those submitted by his predecessor at any time prior to the actual confirmation thereof by the Senate.

SPRAGUE, Chairman.

Senator Sprague moved the adoption of the special report.

On motion of Senator Preston, the hour for recess was indefinitely postponed.

On the adoption of the special report of the Judiciary Committee, Senators Sprague, Flint, and Heacock demanded the ayes and noes.

Roll called, and the report adopted by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McGowan, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—30.

NOES—Messrs. Britt, Goucher, Harp, Langford, Mead, Seawell, and Welch—7.

Senator Carpenter moved that the Engrossing Clerk be instructed and directed to amend Senate Bill No. 19 by striking out of section one, line sixteen, the word "eleventh," and inserting in lieu thereof, "tenth;" also, by striking out of section one, line seventeen, the word "twelfth," and inserting in lieu thereof, "eleventh;" also, by striking out of section one, line eighteen, the word "thirteenth," and inserting in lieu thereof, "twelfth;" also, by striking out of section one, line nineteen, the word "fourteenth," and inserting in lieu thereof, the word "thirteenth."

So ordered.

RECESS.

At twelve o'clock and fifteen minutes P. M., recess was declared.

REASSEMBLED.

At one o'clock and thirty minutes P. M., the Senate reassembled.

President pro tem. Fraser in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, Langford, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

Senator Wilson asked permission to introduce a resolution out of order.

Senator De Long moved that the resolution be read for information.

So ordered.

The resolution was read, as follows:

Resolved, That the concurrent resolutions, numbered one and two, memorializing Congress to pass laws to allow farmers to borrow money of the Government at two per cent on their lands or products, as reported by the Committee on Federal Relations that they "do pass," be printed in the Journal for the information of the Senators, and that the consideration of the same by this Senate be made the special order for two o'clock and thirty minutes P. M., on Thursday, January 28, 1891.

On motion of Senator Wilson, the resolution was adopted.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following Assembly Bills, viz.:

Assembly Bill No. 25—An Act to amend section one thousand four hundred and sixty-five of the Code of Civil Procedure of the State of California.

Also: Assembly Bill No. 101—An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale.

Also: Assembly Bill No. 22—An Act to amend section one thousand two hundred and nine of the Code of Civil Procedure of California, relating to the power of Courts in the matter of punishing contempts of Court.

Also, on this day, adopted the following Assembly concurrent resolution:

WHEREAS, Certain free public libraries, regularly organized under the laws of the State, are without complete sets of the Journals, Appendixes, and Statutes of the Legislature; therefore, be it

Resolved by the Assembly, the Senate concurring, That the State Librarian be and he is hereby authorized to supply to such free public libraries, on application, as many volumes of the above mentioned documents as in his discretion may be spared from the duplicates now in his possession.

H. A. MASON, Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 60—An Act to add two new sections to article five, of chapter eleven, of title eleven, of part three, of the Code of Civil Procedure of California, to be designated as sections one thousand seven hundred and two and one thousand seven hundred and three, and relating to the declination of testamentary trustees and the appointment of persons to fill vacancies resulting from such declination, or otherwise.

Also: Assembly Bill No. 58—An Act to amend section one thousand two hundred and five of the Penal Code, relating to fines and imprisonment.

Also: Assembly Joint Resolution No. 4—Relating to the improvement of Humboldt Bar.

F. W. WHITMORE, Assistant Clerk.

Assembly Bills Nos. 25 and 101 were referred to the Judiciary Committee.

Senator Maher moved that Assembly Bill No. 22 be placed on file for first reading.

Senator Carpenter moved to amend by referring to the Judiciary Committee.

Ayes and noes were demanded by Senators Maher, Crandall, and W. H. Williams.

The amendment was lost by the following vote:

AYES—Messrs. Bailey, Berry, Campbell of Solano, Carpenter, Crandall, De Long, Denison, Dray, Fraser, Goucher, Heacock, McComas, Ostrom, Seawell, Shippee, and Voorhies—16.

NOES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Everett, Harp, Langford, Maher, Mahoney, Ragsdale, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—18.

The motion to place the bill on file for first reading was then adopted.

Assembly concurrent resolution, relative to free public libraries, was referred to the Committee on State Library and Rules.

Assembly Bills Nos. 58 and 60 were referred to the Judiciary Committee.

Assembly Joint Resolution No. 4 was referred to the Committee on Federal Relations.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Seawell: Senate Bill No. 376—An Act to amend section one thousand five hundred and ninety-three of the Political Code, relative to time of election for School Trustees.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 377—An Act to prevent the use of substitute for hops, or pure extract of hops, in the manufacture of ale or beer sold or offered for sale in this State.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

Also: Senate Bill No. 378—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section two thousand five hundred and eighty-seven, relating to policies of insurance.

Referred to Committee on Judiciary.

Also: Senate Bill No. 379—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section two thousand five hundred and ninety-four, and repealing section two thousand five hundred and ninety-five, relating to policies of insurance.

Referred to Committee on Judiciary.

Also: Senate Bill No. 380—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section two thousand seven hundred and fifty-six, relating to fire insurance.

Referred to Committee on Judiciary.

By Senator Preston: Senate Bill No. 381—An Act to amend the Political Code, part three, title three, article one, section one thousand five hundred and twenty-one, relating to the powers and duties of the State Board of Education.

Referred to Committee on Education and Public Morals.

By Senator W. H. Williams: Senate Bill No. 382—An Act to prohibit the buying and selling of the shares of the capital stock of corporations in any stock board, stock exchange, or stock market, under the control of any association.

Referred to Committee on Judiciary.

Also: Senate Bill No 383—An Act declaring contracts for the sale of the capital stock of corporations or associations on margin unlawful, and defining and declaring certain contracts to be such as are declared unlawful.

Referred to Committee on Judiciary.

By Senator Berry: Senate Bill No. 384—An Act to increase the number of Judges of the Superior Court of the county of Tulare, and to provide for the appointment of an additional Judge.

Referred to Committee on Judiciary.

By Senator Denison: Senate Bill No. 385—An Act to authorize the

State Board of Prison Directors to pay for certain skilled labor used in the construction of dam and canal at the Folsom Prison, and making an appropriation therefor.

Referred to Committee on Finance.

By Senator McComas: Senate Bill No. 386—An Act to authorize the trustees of municipal corporations having a voting population of less than two hundred legal voters, to wind up the affairs of said corporation by paying off its indebtedness, disposing of its property, if it has any, to the county for its own local improvement, etc., and to declare said corporation no longer in force.

Referred to Committee on Judiciary.

By Senator Fraser: Senate Bill No. 387—An Act to add to part two, division second, of the Civil Code, a new title, to be known as title five, containing eighteen sections, to be numbered eight hundred and seventy-eight, eight hundred and seventy-nine, eight hundred and eighty, eight hundred and eighty-one, eight hundred and eighty-two, eight hundred and eighty-three, eight hundred and eighty-four, eight hundred and eighty-five, eight hundred and eighty-six, eight hundred and eighty-seven, eight hundred and eighty-eight, eight hundred and eighty-nine, eight hundred and ninety, eight hundred and ninety-one, eight hundred and ninety-two, eight hundred and ninety-three, eight hundred and ninety-four, and eight hundred and ninety-five, relating to mining laws and forming mining districts.

Referred to Committee on Mines, Drainage, and Mining Debris.

SPECIAL ORDER.

Consideration of appointments by Governor Markham.
President Reddick in the chair.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 19, 1891.

To the Senate of the State of California:

I hereby withdraw the name of Joseph D. Redding, for the office of Fish Commissioner, from your further consideration.

I hereby withdraw the name of John K. Orr, for the office of Fish Commissioner, from your further consideration.

I hereby withdraw the name of J. R. Laine, for the office of member of the State Board of Health, from your further consideration.

I hereby withdraw the name of Alexander Badlam, for the office of Port Warden for the port of San Francisco, from your further consideration.

I hereby withdraw the name of E. W. Travers, for the office of Pilot Commissioner for the ports of San Francisco, Mare Island, and Benicia, from your further consideration.

I hereby withdraw the name of Oliver Eldridge, for the office of Pilot Commissioner for the ports of San Francisco, Mare Island, and Benicia, from your further consideration.

I hereby withdraw the name of J. C. Campbell, for the office of Director of the State Prison, from your further consideration.

I hereby withdraw the name of Louis Sloss, Jr., for the office of member of the Board of Regents of the University of California, from your further consideration.

I hereby withdraw the name of A. P. Overton, for the office of Trustee of the California Home for Feeble-Minded Children, from your further consideration.

I hereby withdraw the name of George W. Gibbs, for the office of Trustee of the California Home for Feeble-Minded Children, from your further consideration.

I hereby withdraw the name of Warren Olney, for the office of member of the Board of Directors of the Deaf, Dumb, and Blind Asylum, from your further consideration.

I hereby withdraw the name of Obed Harvey, for the office of member of the Board of Directors of the Insane Asylum at Stockton, from your further consideration.

H. H. MARKHAM, Governor.

MESSAGES CONSIDERED.

The following appointments were read and considered in order indicated:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 19, 1891.

To the Senate of the State of California:

I do hereby nominate Joseph D. Redding of the county of San Francisco, to the office of Fish Commissioner, vice self, and respectfully request your consent to his appointment.

H. H. MARKHAM, Governor.

On motion of Senator Sprague, the appointment was consented to by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—39.
NOES—None.

Also:

I do hereby nominate Samuel K. Thornton, of the county of San Francisco, to the office of Port Warden for the port of San Francisco, vice Alexander Badlam, and respectfully request your consent to his appointment.

H. H. MARKHAM, Governor.

On the appointment of Samuel K. Thornton, the roll was called, and the appointment consented to by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—38.
NOES—Messrs. Goucher and Mead—2.

Also:

I do hereby nominate Joseph Morizio, of the county of San Francisco, to the office of Fish Commissioner, vice John K. Orr, and respectfully request your consent to his appointment.

H. H. MARKHAM, Governor.

On the appointment of Joseph Morizio, the roll was called, and the appointment consented to by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—38.
NOES—Messrs. Goucher and Harp—2.

Also:

I do hereby nominate Ramon E. Wilson, of the county of San Francisco, to the office of Fish Commissioner, vice Charles Josselyn, and respectfully request your consent to his appointment.

H. H. MARKHAM, Governor.

On the appointment of Ramon E. Wilson, the roll was called, and the appointment consented to by the following vote:

AYES — Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—36.
NOES—None.

Also:

I do hereby nominate Irwin C. Stump, of the county of San Francisco, to the office of State Prison Director, vice J. C. Campbell, and respectfully request your consent to his appointment.

H. H. MARKHAM, Governor.

On the appointment of Irwin C. Stump, the roll was called, and the appointment consented to by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—34.
NOES—Mr. Goucher—1.

Also:

I do hereby nominate Dr. Chester A. Rowell, of the county of Fresno, to the office of Regent of the University of California, vice Louis Sloss, Jr., and respectfully request your consent to his appointment.

H. H. MARKHAM, Governor.

On the appointment of Dr. Chester A. Rowell, the roll was called, and the appointment consented to by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—35.
NOES—None.

Also:

I do hereby nominate George W. Gibbs, of the county of San Francisco, to the office of Trustee of the California Home for Feeble-Minded Children, vice self, and respectfully request your consent to his appointment.

H. H. MARKHAM, Governor.

On the appointment of George W. Gibbs, the roll was called, and the appointment consented to by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—37.
NOES—None.

Also:

I do hereby nominate Captain J. H. Bruce, of the City and County of San Francisco, to the office of Pilot Commissioner for the ports of San Francisco, Mare Island, and Benicia, vice A. C. Freese, resigned, and respectfully request your consent to his appointment.

H. H. MARKHAM, Governor.

On the appointment of Captain J. H. Bruce, the roll was called, and the appointment consented to by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—37.
NOES—None.

Also:

I hereby nominate A. P. Overton, of the county of Sonoma, to the office of Trustee of the California Home for Feeble-Minded Children, vice self, and respectfully request your consent to his appointment.

H. H. MARKHAM, Governor.

On the appointment of A. P. Overton, the roll was called, and the appointment consented to by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—38.
NOES—None.

Also:

I do hereby nominate Warren Olney, of the county of Alameda, to be a Trustee for the Deaf, Dumb, and Blind Asylum, vice self, and respectfully request your consent to his appointment.

H. H. MARKHAM, Governor.

On the appointment of Warren Olney, the roll was called, and the appointment consented to by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—36.
NOES—None.

Also:

I do hereby nominate Obed Harvey, of the county of Sacramento, to be a member of the Board of Directors of the Insane Asylum at Stockton, vice self, and respectfully request your consent to his appointment.

H. H. MARKHAM, Governor.

On the appointment of Obed Harvey, the roll was called, and the appointment consented to by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—34.
NOES—None.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

President pro tem Fraser in the chair.

By Senator Voorhies: Senate Bill No. 388—An Act to divide the State of California into Congressional Districts.

Referred to Committee on Apportionment and Representation.

By Senator Everett: Senate Bill No. 389—An Act entitled "An Act for the relief of J. B. Martin and A. J. Martin, executors of the will of John Martin, deceased, and of the estate of John Martin, deceased, and of John Landers from judgment recovered by the People of the State of California against John Martin and John Landers in an action entitled 'People of the State of California ex rel. John P. Dunn, State Controller, plaintiff, vs. Frank W. Gross, John Martin, and John Landers, defendants,' in the Superior Court of the City and County of San Francisco."

Referred to Committee on Judiciary.

By Senator Streeter: Senate Bill No. 390—An Act making an appropriation for the construction of a seawall thoroughfare and piers in the harbor of San Diego.

Referred to Committee on Commerce and Navigation.

By Senator Preston: Senate Bill No. 391—An Act to provide for the payment of the Controller of State's warrants which have been lost or destroyed previous to payment by the State Treasurer.

Referred to Committee on Banks and Banking.

By Senator Preston: Senate Bill No. 392—An Act to amend an Act entitled "An Act to furnish arms for the use of military academies in the State," approved February 20, 1872.

Referred to Committee on Military Affairs.

RESOLUTION—(OUT OF ORDER).

By Senator Geo. H. Williams:

Resolved, That John Wilson be and he is hereby appointed an additional Porter of the committee rooms, at a per diem of four dollars.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Senator McGowan moved that Senate Bills No. 112 and 114 be referred to Judiciary Committee.

So ordered.

THIRD READING OF BILLS.

Substitute for Senate Bills Nos. 18 and 25—An Act to amend sections one thousand one hundred and eighteen and one thousand two hundred and thirty-eight of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the dismissal of actions and to appeals.

Senator Seawell moved that the bill be recommitted to a committee of one, consisting of Senator Crandall, with instructions to strike out of the title of the bill all reference to section one thousand one hundred and eighteen of the Penal Code, to strike out section one of the bill, and to number section two of the bill section one, and report the same back for action.

Ayes and noes were demanded by Senators Sprague, Carpenter, and Dray.

Roll called, and motion to strike out and refer was adopted by the following vote:

AYES—Messrs. Banks, Britt, Byrnes, Campbell of Siskiyou, Crandall, Fraser, Goucher, Hamill, Harp, Langford, McGowan, Mead, Ostrom, Seawell, Shippee, Simpson, Welch, Williams (Wm. H.), and Wilson—19.

NOES—Messrs. Bailey, Broderick, Carpenter, De Long, Denison, Dray, Everett, Flint, Heacock, Maher, McComas, Preston, Ragsdale, Sprague, Streeter, and Voorhies—16.

REPORT OF COMMITTEE OF ONE.

MR. PRESIDENT: Your committee to whom was referred substitute for Senate Bills Nos. 18 and 25, with instructions, have had the same under consideration, and respectfully report the same back, and recommend that the title be amended by striking out the words "Sections 1118 and," in line one of the title, and inserting in lieu thereof the word "Section."

Also: Strike out section one of the bill, and figure "2" in line one, section two, and insert the figure "1."

CRANDALL, Committee.

Senate Bill No. 351—An Act making an appropriation to pay the deficiency in the appropriation for the office of Secretary of State, and for the purchase of supplies and furniture, and for making necessary repairs in the several offices of the State Capitol.

Read third time, and passed by the following vote:

AYES—Messrs. Banks, Britt, Byrnes, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Langford, Maher, McComas, Preston, Seawell, Shippee, Sprague, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—24.

NOES—Messrs. Bailey, Crandall, McGowan, Mead, and Welch—5.

Title read and approved.

SECOND READING OF BILLS.

Senate Bill No. 22—An Act to amend section four hundred of the Penal Code, relating to the offense of aiding, advising, and encouraging the commission of suicide, and to renumber said section.

The following committee amendment was adopted:

Insert after the word "Code," in title, the following: "of the State of California."

Bill ordered to engrossment and to third reading.

Senate Bill No. 23—An Act to amend sections four hundred and four hundred and one of the Penal Code, relating to contagious diseases among animals, and to renumber said sections.

The following committee amendment was adopted:

Insert in the title after the word "Code," the words "of the State of California."

Bill ordered to engrossment and to third reading.

REPORT OF COMMITTEE ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, January 22, 1891.

MR. PRESIDENT: Your Committee on Engrossment beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 29—An Act to amend section two hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, in relation to the adoption of children.

Also: Senate Bill No. 19—An Act to amend section two thousand nine hundred and fifty-five of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to chattel mortgages.

Amended and ordered reëngrossed.

Also: Senate Bill No. 30—An Act to amend sections three thousand seven hundred and forty six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand eight hundred, three thousand eight hundred and sixteen, three thousand eight hundred and sixty-six, and three thousand eight hundred and sixty-eight of "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be known as section three thousand seven hundred and fifty-seven, relative to the collection of property taxes, and providing for the payment of taxes by installments.

RAGSDALE, Chairman.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 24—An Act to amend section four hundred and one of the Penal Code, relating to the adulteration of candy, and to renumber said section.

The following committee amendment was adopted:

Insert in the title after the word "Code," the following: "of the State of California."

Bill ordered to engrossment and to third reading.

Senate Bill No. 67—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, concerning the right of eminent domain.

The following committee amendment was adopted:

Insert in the title after the word "Procedure," the words "of the State of California."

Bill ordered to engrossment and to third reading.

Senate Bill No. 70—An Act to add a new section to the Penal Code of the State of California, to be numbered section eight hundred and thirty, relative to the service of warrants of arrest and other process in criminal cases.

The following committee amendments were adopted:

Substitute the word "county" for the word "township" in line seven, section one, and strike out all of section two.

Ordered to engrossment and to third reading.

Senate Bill No. 49—An Act to amend section seventy of the Civil Code, relating to the solemnization of marriages.

The following committee amendments were adopted:

Insert in the title after the word "Code," the words "of the State of California," and strike out all of section two.

Ordered to engrossment and to third reading.

Senate Bill No. 28—An Act to provide for the organization and government of levee districts created for the protection of the lands from overflow of innavigable streams of water, and to confine innavigable running streams to a fixed channel.

On motion of Senator Ostrom, Senate Bill No 28 was referred to the Committee on Public and Swamp and Overflowed Lands.

Senate Bill No. 76—An Act to amend section one thousand one hundred and eighty-one of the Civil Code of the State of California, as amended April 3, 1880, relating to the proof and acknowledgment of instruments.

Senator Seawell moved to strike out section two.

Adopted.

Bill ordered to engrossment and to third reading.

Senate Bill No. 77—An Act to legalize certain acknowledgments.

Ordered to engrossment and to third reading.

Senate Bill No. 7—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, town, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 10, 1887.

Ordered engrossed and to third reading.

LEAVE OF ABSENCE.

On motion of Senator Sprague, Senator Everett was granted leave of absence until next Monday.

ADJOURNMENT.

At four o'clock and five minutes P. M. the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, January 23, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by the Rev. A. T. Needham.

READING OF THE JOURNAL.

Journal of yesterday read and approved.

PETITIONS.

From Wm. Maass, for a new State Constitution.

Referred to Committee on Constitutional Amendments and Banks and Banking.

From Santa Barbara County Farmers' Alliance and Industrial Union, relating to the forests of the State.

Referred to Committee on Forestry, etc.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, January 22, 1891.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bills Nos. 74 and 130, and Assembly Joint Resolutions Nos. 1 and 5—have had the same under consideration, and respectfully report back Senate Bill No. 74 amended as follows, viz.: (printed bill) On line three, section one, after the word "thereof," insert "except such buildings as may be wholly constructed of wood, and their contents."

Also: Senate Bill No. 130—Amended as follows, viz.: Section one, line six, printed bill, after the word "cash," and before the word "and," insert "to the highest bidder after advertisement of sale for a period of thirty days, said advertisement to appear in one daily paper in San Francisco and one daily paper in San José."

Also: Assembly Joint Resolutions Nos. 1 and 5—and respectfully report the same back, and recommend that the Senate bills, as amended, do pass, and said Assembly Joint Resolutions Nos. 1 and 5 be adopted.

Also: Respectfully report the number of miles traveled by each member of said committee during their visit to the California Hospital for Chronic Insane, at Agnews, located in Santa Clara County, California, as follows:

Senator Banks, whole number of miles, 256	$25 60
Senator Britt, whole number of miles, 256	25 60
Senator G. H. Williams, whole number of miles, 256	25 60
Clerk, Miss Wood, whole number of miles, 256	25 60

BANKS, Chairman.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, January 22, 1891.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 136—An Act to amend section seven hundred and ninety-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Senate Bill No. 104—An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, buildings, and furnishing the same.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 27—An Act to prohibit the sale of intoxicating liquors within one mile of any reform school where juveniles are confined or kept—have had the same under consideration, and respectfully report the same back amended, and recommend that it do pass as amended.

Also: Senate Bill No. 245—An Act to establish a State Normal School in the City and County of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Public Buildings other than Prison Buildings.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 165—An Act to add two sections to chapter ten of the Penal Code, to be known and numbered as sections three hundred and thirty-seven and three hundred and thirty-eight, relating to the selling of pools on horse races—have had the same under consideration, and respectfully report the same back and recommend a substitute for same, with the recommendation that the substitute do pass.

DENISON, Chairman.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, January 23, 1891.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 268—An Act to amend section two thousand nine hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the preservation of the public health—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SIMPSON, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, January 22, 1891.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 116—An Act to amend section five hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the office of Superintendent of State Printing, and providing for the election of such officer—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

No recommendation is made for Senate Bill No. 58, herewith returned, for the reason that Senate Bill No. 116, a similar bill, is favorably recommended.

McGOWAN, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 22, 1891.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bills Nos. 59 and 103—respectfully recommend that said bills be referred to the Senate Committee on Counties, County Government, and Township Organization.

DARGIE, Chairman.

Bills referred to Committee on Counties, County Government, and Township Organization.

ON FORESTRY, YOSEMITE VALLEY, MARIPOSA BIG TREES, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, January 21, 1891.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game, to whom was referred Assembly Bill No. 215—An Act to authorize the Board of Fish Commissioners of this State to purchase the land on which the State Fish Hatcheries at Sisson and Lake Tahoe are now situated, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of game—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

FLINT, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 22, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 16—An Act to amend section four hundred and ninety-nine of the Civil Code of California, relative to the authority to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway, operated under different managements, to use parts of the same streets and tracks.

Also: Senate Bill No. 135—An Act to amend sections one thousand three hundred and five, one thousand three hundred and seventy-three, one thousand five hundred and fifty-two, one thousand six hundred and thirty-three, and one thousand six hundred and thirty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, all relating to estates of deceased persons.

Also: Assembly Bill No. 132—An Act to amend an Act entitled "An Act in relation to certain deputies, assistants, and copyists of County Clerks."

Respectfully report the same back and recommend that they do pass.

Also: Senate Bill No. 61—An Act to provide for the better discovery of assessable personal property, to aid Assessors and Boards of Equalization in the performance of their duties, and to require insurance companies to make annual reports of personal property insured.

Also: Senate Bill No. 2—An Act to confirm, ratify, and make valid ordinances heretofore passed by the body intrusted with the government of incorporated cities, city and county, and towns, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated cities, city and county, and towns, by electric power.

Also: Senate Bill No. 47—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of incorporated cities, city and county, or towns.

Respectfully report the same back and recommend that they do pass as amended.

SPRAGUE, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator De Long: Senate Bill No. 393—An Act authorizing certain corporations to act as executor, and in other capacities, and to provide for and regulate the administration of trusts by such corporations.

Referred to Committee on Corporations.

By Senator Shippee: Senate Bill No. 394—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by repealing section six hundred and thirty-two, relating to decisions of Court on questions of fact.

Referred to Committee on Judiciary.

By Senator Sprague: Senate Bill No. 395—An Act to provide for the payment of the claim of A. B. Dibble for professional services performed by him in the case of the People, respondent, vs. O. P. Dobbins, appellant, No. 12,106, Department One of the Supreme Court, August 30, 1887.

Referred to Committee on Claims.

By Senator Langford: Senate Bill No. 396—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

Also: Senate Bill 397—An Act to amend an Act entitled "An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, and two thousand six hundred and forty-four of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the powers and duties of highway officers, to the election, appointment of, and oath and bond of Roadmasters or Road Overseers," approved March 9, 1887.

Referred to Committee on Roads and Highways.

By Senator Seawell: Senate Bill No. 398—An Act to prohibit the adulteration of beer and other malt liquors.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

By Senator Berry: Senate Bill No. 399—An Act to amend section one thousand and ninety-four, an Act to establish a Political Code, approved March 12, 1872, approved March 20, 1889, relating to elections.

Referred to Committee on Elections.

By Senator Dargie: Senate Bill No. 400—An Act to authorize the Controller of State to issue a duplicate Controller's warrant.

Referred to Committee on Finance.

By Senator Dray: Senate Bill No. 401—An Act to amend sections three thousand four hundred and sixty-two and three thousand four hundred and sixty-three of the Political Code of this State, relating to the filing with County Treasurers and County Recorders of lists of charges assessed by Commissioners of Assessments in reclamation districts, and making said charges a lien upon the lands assessed.

Referred to Committee on Public and Swamp and Overflowed Lands.

Also: Senate Bill No. 402—An Act to amend section three thousand four hundred and sixty-six of the Political Code, relating to the collection of assessments made by Commissioners of Assessment in reclamation districts of this State.

Referred to Committee on Public and Swamp and Overflowed Lands.

Also: Senate Bill No. 403—An Act to amend sections three thousand four hundred and fifty-four and three thousand four hundred and fifty-five of the Political Code of this State, relating to the powers and duties of Boards of Trustees of reclamation districts formed for the reclamation of swamp and overflowed lands.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Wilson: Senate Bill No. 404—An Act to appropriate money for the erection of a monument on the plot of the Sacramento Veterans of the Mexican War, in the City Cemetery of Sacramento.

Referred to Committee on Finance.

By Senator Hamill: Senate Bill No. 405—An Act to amend section three hundred and twenty of the Penal Code of the State of California, relative to lotteries.

Referred to Committee on Education and Public Morals.

By Senator Preston: Senate Bill No. 406—An Act to provide for a State Board of Charities and Correction, defining its powers and duties, and appropriating money therefor.

Also: Prescribing the duties of State, county, and municipal officers in connection therewith.

Referred to Committee on Hospitals.

By Senator Flint: Senate Bill No. 407—An Act to amend sections two thousand six hundred and forty-two and two thousand six hundred and forty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to highway officers, the appointment thereof, and their powers and duties.

Referred to Committee on Roads and Highways.

RESOLUTION.

By Senator Carpenter:

Resolved, That the Attorney-General, the Secretary of State, and the Superintendent of State Printing be and they are requested to report to the Senate the amount of deficiencies existing in their respective departments, and that such reports show the amount of indebtedness already existing, and what portion of such indebtedness was authorized by the State Board of Examiners, and the estimated amount necessary for the maintenance of their said offices for the remainder of this fiscal year.

THIRD READING OF BILLS.

Senate Bill No. 30—An Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and forty-eight, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred, three thousand eight hundred and sixteen, three thousand eight hundred and sixty-six, and three thousand eight hundred and sixty-eight of "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be known as section three thousand seven hundred and fifty-seven, relative to the collection of property taxes.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Flint, Fraser, Goucher, Harp, Heacock, Maher,

McComas, McGowan, Mead, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—30.
Noes—Mr. Banks—1.
Excused from voting—Senators Dray, Langford, and Preston—3.

Title read and approved.

Senate Bill No. 19—An Act to amend section two thousand nine hundred and fifty-five of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to chattel mortgages.

Bill read a third time, and finally passed by the following vote:

Ayes—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Fraser, Goucher, Hamill, Heacock, Langford, Maher, McGowan, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, and Wilson—28.
Noes—None.

Title read and approved.

PASSED ON FILE.

On motion of Senator Crandall, Senate Bill No. 29 was passed on file.

SECOND READING OF BILLS.

The following bills were read a second time, ordered engrossed and to a third reading:

Senate Bill No. 148—An Act to provide for the construction and furnishing of a kitchen and dining-room at the Napa State Asylum for the Insane, and making an appropriation therefor.

Senate Bill No. 196—An Act to provide for the removal of the old wooden fence, sidewalks, and curb from the State Capitol grounds, located at Sacramento, and have constructed in their stead a granite post and chain fence, a concrete sidewalk, and granite curb, and to appropriate money therefor.

Senate Bill No. 197—An Act to provide for the completion of the ten tiers of granite steps in the State Capitol grounds, located at Sacramento, and to appropriate money therefor.

Senate Bill No. 82—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-six, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Committee amendment to strike out all of section two was adopted.

Bill read second time, ordered engrossed and to a third reading.

Senate Bill No. 83—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Bill read.

The following two committee amendments were adopted:

Insert the word "labor" between the words "hours" and "constitute," in line three of section one, printed bill; and strike out all of section two.

Senator Crandall moved to amend by striking out of section one all after the word "party," in line eight.

During the discussion on the proposed amendment, Senator Britt moved that the hour for recess be extended.

So ordered.

Senator Mead moved to amend by striking out all after the word "party," in section one, line eight, and inserting the following: "and that for the violation of any provision contained in this section, or in said contract, the party to receive pay under said contract shall forfeit all payment due or to become due."

Senator Seawell offered the following two amendments, which were read for information only:

Amend by inserting the following after the word "contract," on line nine: "or sub-contractor."

Also: By inserting the following in line eleven after the word "contract:" "under his immediate employment."

On motion of Senator Britt, the bill and the proposed amendments were referred to Committee on Labor and Capital.

LEAVE OF ABSENCE.

Senator Denison was granted leave of absence until Monday next.

RECESS.

At twelve o'clock and twenty-five minutes P. M., on motion of Senator De Long, a recess was taken until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Dray, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Wilson.

Quorum present.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Voorhees: Senate Bill No. 408—An Act to divide the State into legislative districts, as required by section six, article four, of the Constitution, and to provide for the election of Assemblymen and Senators in such districts.

Referred to Committee on Apportionment and Representation.

By Senator Ragsdale—Senate Bill No. 409—An Act to appropriate money for the erection of a monument in Golden Gate Park in the city of San Francisco, in memory of the late General M. G. Vallejo.

Referred to Committee on Finance.

By Senator Fraser: Senate Bill No. 410—An Act to amend section

one hundred and fifty-eight of the Code of Civil Procedure of the State of California.

Referred to Committee on Judiciary.

By Senator Preston: Senate Bill No. 411—An Act to amend section eight hundred and sixty-five of the Code of Civil Procedure, relating to arrests in civil actions.

Referred to Committee on Judiciary.

PETITION.

Senator Campbell of Solano presented a petition for the suppression of pool-selling.

RESOLUTION.

By Senator Heacock:

Resolved, That the Secretary of State be directed to furnish the President of the Senate a copy of the State Constitution, and a copy of the latest edition of the Codes, at a price not to exceed eleven dollars and fifty cents, payable out of the Contingent Fund of the Senate.

Adopted.

LEAVE OF ABSENCE.

Senators Mead and Voorhies were granted leave of absence until Monday next.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 154—An Act authorizing school districts, cities, cities and counties, or incorporated towns, in the State of California, to furnish the pupils of their respective public schools with free use of school text-books.

Senator Heacock moved to amend by striking out of section four, line thirteen, the word "compution," and inserting therefor the word "computation."

Adopted.

Senator Preston moved to amend by striking out of section five, line two, the words "at any subsequent annual or special election," and inserting the following: "at any time after two years from the date of said election."

Adopted.

Senator Dray moved to amend by striking out section seven.

Adopted.

Senator Preston moved to amend section eight by striking out of line nine, the words "failing to," and all of lines ten and eleven.

Adopted.

Senator Campbell of Solano moved to amend by renumbering the sections of the bill in regular order.

Adopted.

Bill read second time, ordered engrossed and to a third reading.

President pro tem. Fraser in the chair.

Senate Bill No. 113—An Act to authorize the establishment of County High Schools, and provide for their support.

Bill read second time, ordered engrossed and to a third reading.

Senate Bill No. 84—An Act to regulate the practice of pharmacy and sale of poisons in the State of California.

Senator Heacock moved to amend section seven by striking out all of last sentence.

Adopted.

Senator Goucher moved to amend by striking out of section six, line nine, the words "San Francisco," and inserting therefor the word "Sacramento."

The ayes and noes were demanded by Senators Preston, Langford, and Goucher.

The roll was called, and the motion to amend lost by the following vote:

AYES—Messrs. Berry, Crandall, Goucher, Harp, Heacock, Langford, McComas, Ostrom, Preston, Shippee, and Simpson—11.

NOES—Messrs. Bailey, Banks, Broderick, Campbell of Solano, Campbell of Siskiyou, Fraser, Hamill, Maher, Mahoney, Ragsdale, Seawell, Voorhies, Williams (Geo. H.), and Wilson—14.

Bill read second time, ordered engrossed and to a third reading.

Senate Bill No. 41—An Act to amend section four thousand one hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the deposit of public funds.

Senator De Long moved to amend by inserting in line forty, printed bill, after the words "on call," the following: "and the amount loaned shall not exceed ninety-five per cent of the market value of the bonds offered as security for the loan or loans."

Adopted.

Senator Preston moved to amend by striking out of section one, line twenty-two, the words "but the said Board of Bank Commissioners may when;" also, all of lines twenty-three, twenty-four, twenty-five, and twenty-six.

Lost.

Bill read second time, ordered to engrossment and third reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Ragsdale: Senate Bill No. 412—An Act to grant a right of way to Patrick Monahan over the site of the California Home for the Care and Training of Feeble-Minded Children, in Sonoma County.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Bailey: Senate Bill No. 413—An Act to create the county of San Jacinto, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization and election of officers, and to classify said county.

Referred to Committee on Counties, County Government, and Township Organization.

By Senator Carpenter: Senate Bill No. 414—An Act entitled "An Act to amend section four hundred and seventy-five of the Political Code," providing for clerks and a phonographic reporter in the office of the Attorney-General, and fixing their salaries.

Referred to Committee on Judiciary.

Also: Senate Bill No. 415—An Act entitled "An Act to amend section

four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries."

Referred to Committee on Judiciary.

By Senator Wilson: Senate Bill No. 416—An Act to add a new section to the Civil Code, to be known as section four hundred and ninety-two.

Referred to Committee on Corporations.

By Senator Shippee: Senate Bill No. 417—An Act to validate and make legal acknowledgments, affidavits, and oaths made before and taken by any person acting as a Notary Public, under appointment by the Governor of the State of California, in certain cases, and to validate and make legal all the acts and transactions of such person while acting as such Notary Public.

Referred to Committee on Judiciary.

By Senator Mahoney: Senate Bill No. 418—An Act to amend section five hundred and eight of the Civil Code, relating to street railroads.

Referred to Committee on Corporations.

Also: Senate Bill No. 419—An Act to amend sections four hundred and ninety-eight and five hundred and two of the Civil Code, relating to street railroad corporations.

Referred to Committee on Corporations.

Also: Senate Bill No. 420—An Act to amend sections one and two of an Act entitled "An Act concerning lodging houses and sleeping apartments within the limits of incorporated cities," approved April 3, 1876.

Referred to Committee on Labor and Capital.

By Senator Dargie: Senate Bill No. 421—An Act to amend section two thousand six hundred and forty-five of the Political Code, relating to the duties of Road Overseers.

Referred to Committee on Roads and Highways.

Also: Senate Bill No. 422—An Act to amend section two thousand six hundred and forty-two of the Political Code, relating to the appointment of Road Overseers.

Referred to Committee on Roads and Highways.

Also: Senate Bill No. 423—An Act to amend section two thousand six hundred and forty-six of the Political Code, relating to awarding contracts for maintaining roads.

Referred to Committee on Roads and Highways.

Also: Senate Bill No. 424—An Act to amend subdivision number four, section twenty-five, of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to public roads.

Referred to Committee on Roads and Highways.

Also: Senate Bill No. 425—An Act to amend section two thousand six hundred and forty-four of the Political Code, relating to bond and oath of Road Overseers.

Referred to Committee on Roads and Highways.

By Senator Hamill: Senate Bill No. 426—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known and numbered as section nine hundred and ninety-one, relating to the compensation of attorneys, and providing when the same shall be a claim against the county.

Referred to Committee on Judiciary.

MOTION.

Senator McGowan moved to take up the Standing Rules of the Senate as proposed by the Committee on State Library and Rules.

So ordered.

CONSIDERATION OF STANDING RULES OF THE SENATE.

The rules submitted for adoption by the Committee on State Library and Rules were taken up and read.

Senator Heacock moved to amend Rule 8½ by striking out the words "roll call," and inserting therefor the words, "the approval of the Journal."

So ordered.

On motion of Senator Heacock, the reading of Rules 7½ and 16 were dispensed with.

Senator McGowan moved to strike out of Rule 17 the words "pro tem."

So ordered.

Senator Preston moved to amend Rule 22 by adding the following words "by a majority affirmative vote of the entire Senate."

Ayes and noes demanded by Senators Langford, Goucher, and Banks.

Roll called, and motion to amend lost by the following vote:

AYES—Messrs. Byrnes, Campbell of Solano, Campbell of Siskiyou, Ostrom, Preston, Voorhies, Welch, and Williams (Geo. H.)—8.

NOES—Messrs. Bailey, Banks, Britt, Broderick, Carpenter, Crandall, Dray, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, McComas, McGowan, Seawell, Shippee, Simpson, Streeter, and Williams (Wm. H.)—20.

Senator Voorhies moved to amend by inserting the following: In Rule 22, between the words "time" and "before," the words "by consent of the Senate."

Lost.

Senator Preston moved to amend by striking out of Rule 22 the words: "A motion may be withdrawn at any time before amendment."

Lost.

Senator Langford moved to adjourn.

Lost.

Senator De Long moved to strike out of Rule 28, on line one, the word "five," and to insert therefor the word "three."

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, January 23, 1891.

MR. PRESIDENT: Your Committee on Engrossment beg leave to report that the following Senate Bills have been correctly engrossed:

Substitute for Senate Bills Nos. 18 and 25—An Act to amend sections one thousand one hundred and eighteen and one thousand two hundred and thirty-eight of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the dismissal of actions and to appeals.

Also: Senate Bill No. 7—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, town, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 10, 1887.

Also: Senate Bill No. 49—An Act to amend section seventy of the Civil Code, relating to solemnization of marriages.

Also: Senate Bill No. 22—An Act to amend section four hundred of the Penal Code, relating to the offense of aiding, advising, and encouraging the commission of suicide, and to renumber said section.

Also: Senate Bill No. 23—An Act to amend sections four hundred and four hundred and one of the Penal Code, relating to contagious diseases among animals, and to renumber said sections.

Also: Senate Bill No. 24—An Act to amend section four hundred and one of the Penal Code, relating to the adulteration of candy, and to renumber said section.

Also: Senate Bill No. 67—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, concerning the right of eminent domain.

Also: Senate Bill No 70—An Act to add a new section to the Penal Code of the State of California, to be numbered section eight hundred and thirty, relative to the service of warrants of arrest and other process in criminal cases.

Also: Senate Bill No 76—An Act to amend section one thousand one hundred and eighty-one of the Civil Code of the State of California, as amended April 3, 1880, relating to the proof and acknowledgment of instruments.

Also: Senate Bill No. 77—An Act to legalize certain acknowledgments.

RAGSDALE, Chairman.

CONSIDERATION OF RULES—(RESUMED).

Senator Preston moved to amend by striking out of Rule 49 the word "reference," and inserting in lieu thereof, the following: "after the bill is printed."

Lost.

Senator De Long moved to amend Rule 46, in line three, by adding after the words "shall be," the following: "given out to be."

The ayes and noes were demanded by Senators De Long, Mahoney, and Langford.

The roll was called, and the motion to amend lost by the following vote:

AYES—Messrs. Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, De Long, Flint, Hamill, Heacock, Mahoney, McComas, Ragsdale, Streeter, Voorhies, and Williams (Wm. H.)—15.

NOES—Messrs. Bailey, Berry, Crandall, Dray, Fraser, Goucher, Harp, Langford, Maher, Ostrom, Seawell, Shippee, Simpson, Welch, and Wilson—15.

Senator Seawell moved to amend by adding the following to the rules:

LI.

A Senator, after the notice of motion to reconsider is given, as provided in Rule 29, may, at the time of consideration of such motion, present the main question in his argument thereon, and the same may be debated by the Senate.

So ordered.

On motion of Senator Heacock, the rules as amended were adopted.

STANDING RULES OF THE SENATE.

I.—OPENING OF THE DAILY SESSIONS.

The time of meeting of the Senate, commencing Tuesday, January 13, 1891, shall be eleven o'clock A. M. until February 16, 1891 (Sundays excepted), and in case any other is named, it shall be applicable only to one day, and shall not affect this rule beyond the day named for a different hour of meeting; and a recess shall be taken from twelve o'clock M. to one o'clock and thirty minutes P. M.; *provided*, that on Mondays the time of meeting shall be two o'clock P. M. After February 16, 1891, the time of meeting of the Senate shall be ten o'clock, and a recess shall be taken from twelve o'clock and thirty minutes P. M. to two o'clock P. M.

II.—CALLING TO ORDER—READING JOURNAL.

The President shall call the Senate to order at the stated hour, and, if a quorum be present, he shall order read the Journal of the proceedings of the preceding day.

III.—PRESIDENT PRO TEM.—HIS POWERS AND PRIVILEGES.

The President pro tem. shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tem. shall vote only as any other member of the Senate.

IV.—ATTENDANCE, DUTIES, AND OBLIGATIONS OF SENATORS.

No Senator shall absent himself from the service of the Senate without leave first obtained. A less number than a quorum of the Senate are hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators, as the majority of such Senators present shall agree, at the expense of such absent Senators, respectively, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened, shall judge sufficient, and in that case the expense shall be paid out of the Contingent Fund; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of the Senate, or of less than a quorum thereof, shall have the power to issue process, directed to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process, unless sick or unable to attend, shall be deemed guilty of a contempt of the Senate, and the Sergeant-at-Arms, or any other person to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county or of any county in the State.

V.—ORDER OF BUSINESS.

After the reading and approving of the Journal, the order of business shall be as follows:

1. Presentation of Petitions.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Messages from the Governor.
5. Messages from the Assembly.
6. Introduction of Bills.
7. Special File.
8. Third Reading of Bills.
9. Second Reading of Bills.
10. Motions, Resolutions, and Notices.
11. First Reading of Bills.
12. Unfinished Business of the preceding day.
13. Special Orders of the day.
14. Reports from the Committee on Enrollment and on Engrossment shall at all times be in order; *provided*, that the messages from the Governor, State officers, and from the Assembly may, on motion of any Senator, be considered at any time.

VI.—INTRODUCTION AND READING OF BILLS.

Any Senator desiring to introduce a bill, shall rise in his place and address the President, and upon being recognized, shall present the same; and the title shall be announced from the Secretary's desk, when it shall be referred to a standing committee, and be printed, and a copy be placed on each member's desk. Every bill shall be read on three several days previous to its passage, unless, in case of urgency, two thirds of the Senate shall, by vote of ayes and noes, dispense with this provision, and the last reading shall be at length. The President shall give notice at each reading whether it be the first, second, or third, and no bill shall be read at either reading until the Senate has so determined by a vote. Joint and concurrent resolutions shall be read but once, unless the Senate, by a majority vote of all the Senators present, otherwise directs.

VII.—THE GENERAL FILE; ITS HOURS—SPECIAL ORDER OF BILLS ON FILE.

The General File shall be the special order for each day from two o'clock until three o'clock and thirty minutes P. M., unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration; and this order shall take precedence of all others.

VII½.—CLERKS OF COMMITTEES.

1. (Room 16)—Clerk of Committee on Agriculture, Viniculture, and Viticulture—M. G. Fraser.
2. (Room 13)—Clerk of Committee on Corporations—Miss Ida Sanford.
3. (Room 13)—Clerk of Committee on Claims—Z. F. Wheaton.
4. (Room 57)—Clerk of Committee on Education and Public Morals—P. M. Fisher.
5. (Room 57)—Clerk of Committee on Finance—L. Du Jardin.
6. (Room 55)—Clerk of Committee on Hospitals—M. W. Simpson.
7. (Room 16)—Clerk of Committee on Irrigation and Water Rights—H. A. Campbell.
8. (Room 41)—Clerks of Committee on Judiciary—W. F. George and N. C. Hanscomb.
9. (Room 13)—Clerk of Committee on Mines, Drainage, and Mining Debris—Mrs. A. B. Campbell.

10. (Room 16)—Clerk of Committee on Commerce and Navigation—Jos. F. O'Berine.
11. (Room 13)—Clerk of Committee on Constitutional Amendments, and Banks and Banking—A. D. Crandall.
12. (Room 14)—Clerk of Committee on Forestry, Yosemite Valley, Mariposa Big Trees, and Fish and Game—Miss L. Stoffles.
13. (Room 57)—Clerk of Committee on Harbors, Rivers, and Coast Defenses—Thos. H. Whitney.
14. (Room 57)—Clerk of Committee on Public Buildings other than Prison Buildings—Miss H. Woods.
15. (Room 14)—Clerk of Committee on Public, and Swamp and Overflowed Lands—W. M. Sims.
16. (Room 55)—Clerk of Committee on Labor and Capital—C. W. Adams.
17. (Room 55)—Clerk of Committee on Attachés and Contingent Expenses—E. F. Mitchell.
18. (Room 16)—Clerk of Committee on Apportionment and Representation—F. P. Kelly.
19. (Room 57)—Clerk of Committee on City, City and County, and Town Governments—H. A. Melvin.
20. (Room 16)—Clerk of Committee on Counties, County Government, and Township Organization—J. C. Crooks.
21. (Room 13)—Clerk of Committee on Elections—Miss Gertrude Berding.
22. (Room 57)—Clerk of Committee on Enrolled and Engrossed Bills—Chas. H. Ragsdale.
23. (Room 14)—Clerk of Committee on Federal Relations and Immigration—Mrs. Geo. Baum.
24. (Room 55)—Clerk of Committee on Military Affairs—Miss E. Burks.
25. (Room 55)—Clerk of Committee on Public Printing—Wm. H. Carlson.
26. (Room 14)—Clerk of Committee on Roads and Highways—C. P. Bailey.
27. (Room, State Library)—Clerk of Committee on State Library and Rules—R. C. Walsh.
28. (Room 16)—Clerk of Committee on State Prisons and Prison Buildings—T. G. Peachy.

VIII.—ORDER MAKING SPECIAL FILE.

The Secretary shall, from time to time, make up a file to be known as the Special File, on which he shall place bills relating to appropriations for the support of the State Government and State institutions, revenue, and constitutional amendments, in the order named, and in the order in which the same may be reported to the Senate, and he shall place no other bills thereon.

VIII½.

Senate bills, or bills that have passed the Assembly and have been acted upon favorably by the proper Senate committee, to the passage of which there is no objection, may, on Thursday of each week, be called up as a special order, immediately after the approval of the journal, and may be passed the several readings under a suspension of the constitutional provision; and a motion to suspend such provision shall be in order. If any ten Senators shall object to the consideration of any bill under this rule, such bill shall be set aside, retaining its position on the file, and shall not be considered that day.

IX.—SECRETARY TO POST GENERAL FILE DAILY.

The Secretary shall post each morning, in a conspicuous place, and place upon the desk of each Senator, a list of all bills upon the General File, giving their order, and also setting forth their number, and so much of their title as necessary to enable the Senators to understand their general purport.

X.—ENGROSSED BILLS TO BE EXAMINED AND REPORTED.

All bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossed Bills, the engrossed copy to be transmitted to the Assembly, with the proper indorsements, and the original retained by the Senate.

XI.—ENGROSSED BILLS HAVE PREFERENCE.

All bills, after the second reading (if the same be not committed, then upon being reported), shall be placed upon a General File, and shall be taken up for consideration and passage in the order of their being placed on the file; *provided*, that engrossed bills shall take precedence of bills not engrossed.

XII.—AMENDMENTS AND SUBSTITUTES.

Substitutes may be offered at any time when a bill or resolution is open to amendment, previous to engrossment, and when adopted shall take the place of the original bill or resolution, and shall be open to amendment.

XIII.—AMENDMENTS AND SUBSTITUTES MUST BE GERMANE.

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment or substitute.

XIV.—LEAST SUM AND SHORTEST TIME IN FILLING BLANKS.

In filling up blanks, the least sum or number and the shortest time shall be put first.

XV.—SHORT OF FINAL QUESTION, TWO-THIRDS VOTE NOT REQUISITE ON PROPOSITIONS TO AMEND CONSTITUTION.

When an amendment to the Constitution, or any bill requiring the concurrence of two thirds of the Senators, is under consideration, the concurrence of two thirds shall not be required to decide any question for amendment, or extending to the merits, being short of the final question.

XVI.—STANDING COMMITTEES.

The following Standing Committees shall be appointed:

1. Committee on Agriculture, Viniculture, and Viticulture, to consist of nine members.
2. Committee on Apportionment and Representation, to consist of nine members.
3. Committee on City, City and County, and Town Governments, to consist of nine members.
4. Committee on Commerce and Navigation, to consist of seven members.
5. Committee on Constitutional Amendments and Banks and Banking, to consist of seven members.
6. Committee on Corporations, to consist of eleven members.
7. Committee on Claims, to consist of seven members.
8. Committee on Counties, County Government, and Township Organization, to consist of nine members.
9. Committee on Education and Public Morals, to consist of seven members.
10. Committee on Elections, to consist of seven members.
11. Committee on Enrolled and Engrossed Bills, to consist of seven members.
12. Committee on Federal Relations and Immigration, to consist of seven members.
13. Committee on Finance, to consist of seven members.
14. Committee on Forestry, Yosemite Valley, and Mariposa Big Tree Grove, and Fish and Game, to consist of five members.
15. Committee on Harbors, Rivers, and Coast Defenses, to consist of five members.
16. Committee on Hospitals, to consist of five members.
17. Committee on Irrigation and Water Rights, to consist of thirteen members.
18. Committee on Judiciary, to consist of eleven members.
19. Committee on Labor and Capital, to consist of nine members.
20. Committee on Mines, Drainage, and Mining Debris, to consist of seven members.
21. Committee on Military Affairs, to consist of seven members.
22. Committee on Public Buildings other than Prison Buildings, to consist of eleven members.
23. Committee on Public Printing, to consist of three members.
24. Committee on Public and Swamp and Overflowed Lands, to consist of five members.
25. Committee on Roads and Highways, to consist of seven members.
26. Committee on State Library, and on Rules, to consist of three members.
27. Committee on State Prisons and Prison Buildings, to consist of nine members.
28. Committee on Attachés, Contingent Expenses, and Mileage, to consist of five members.

XVI½.

No leave of absence shall be granted to any greater number than three of any standing or special committee, for the purpose of visiting any public building or institution, except by a two-thirds vote of the entire Senate.

XVII.—COMMITTEES APPOINTED BY THE PRESIDENT OF THE SENATE.

All committees of the Senate, standing and special, and all joint committees on the part thereof, shall be appointed by the President of the Senate, unless otherwise specially ordered.

XVIII.—CLERKSHIPS OF COMMITTEES.

No special or standing committee shall elect a Clerk or Sergeant-at-Arms without permission of the Senate.

XIX.—ORDER OF QUESTIONS ON MOTION TO REFER.

When a resolution shall be offered, or a motion made to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

XX.—CLAIMS ON CONTINGENT FUND MUST GO TO THE COMMITTEE ON CONTINGENT EXPENSES.

No claim shall be paid out of the Contingent Fund of the Senate until the same shall have been referred to and reported on by the Committee on Contingent Expenses.

XXI.—ORDER OF PRIVILEGED QUESTIONS UNDER DEBATE.

When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

XXII.—MOTION NOT TO BE DEBATED UNTIL SECONDED AND ANNOUNCED.

No motion shall be debated until the same be seconded and distinctly announced by the Presiding Officer, and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary; but the same shall be debated. A motion may be withdrawn at any time before amendment.

XXIII.—READING OF A PAPER, IF OBJECTED TO, DETERMINED WITHOUT DEBATE.

When the reading of a paper is called for (except petitions), and the same is objected to by any Senator, it shall be determined by a vote of the Senate without debate. But this rule is not applicable to any bill, resolution, amendment, or other proposition which may be at the time directly under consideration.

XXIV.—SENATORS MUST ADDRESS THE PRESIDENT.

Every Senator, when he speaks, shall, standing in his place, address the President, and when he has finished he shall sit down. No Senator shall speak more than twice in any one debate on the same day and at the same stage of the bill without leave; and Senators who have not spoken shall be entitled to the floor (except for explanation) to the exclusion of another who has not spoken.

XXV.—THE SENATOR ENTITLED TO FLOOR.

When two or more Senators rise at once, the President shall name the Senator who is to speak first.

XXVI.—SENATOR WHEN CALLED TO ORDER MUST SIT DOWN.

When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the exceptional language shall immediately be taken down in writing.

XXVII.—FINAL QUESTION ON SECOND READING OF BILLS—NO AMENDMENT ON THIRD READING, BUT MAY COMMIT.

The final question on the second reading of every bill originating in the Senate, and requiring three readings previous to being passed, shall be: "Shall the bill be engrossed and read a third time?" And no amendment shall be received for discussion at the third reading of any bill, but it shall at all times be in order, before the final passage of such bill, to move its commitment under special instructions.

XXVIII.—AYES AND NOES—MEMBERS MUST ANSWER—NO VOTE AFTER ANNOUNCEMENT OF VOTE.

When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put shall declare openly and without debate, his assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the decision is announced from the Chair.

XXIX.—NOTICE OF RECONSIDERATION.

On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any Senator: *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a Senator voting with the majority; and it shall not be in order for any Senator to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session.

XXX.—SECRETARY, UPON NOTICE OF RECONSIDERATION, NOT TO REPORT BILL TO ASSEMBLY.

If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not report the bill or resolution to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired.

XXXI.—TITLES OF BILLS MUST BE IN JOURNAL.

The titles of bills, and such parts thereof only as shall be affected by proposed amendments, shall be inserted in the Journal.

XXXII.—WHEN NOT IN COMMITTEE OF THE WHOLE, PROCEEDINGS MUST BE ENTERED IN JOURNAL—VOTES ALWAYS ENTERED.

The proceedings of the Senate, when not acting as Committee of the Whole, shall be entered on the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings; but every vote of the Senate shall be entered on the Journal, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate, shall also be inserted in the Journal.

XXXIII.—RULES IN SENATE AND COMMITTEE OF THE WHOLE.

The rules of the Senate shall be observed in Committee of the Whole, so far as may be applicable, except limiting the number of times of speaking, and except that the ayes and noes shall not be taken.

XXXIV.—CASES NOT PROVIDED FOR, CUSHING TO GOVERN.

In all cases not provided for by these rules, the Senate shall be governed by the law and practice as laid down in Cushing's Law and Practice of Legislative Assemblies.

XXXV.—SUSPENDING AND CHANGING RULES.

No standing rule or order of the Senate shall be rescinded or changed, without a vote of three fifths, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of three fifths of the Senators present, except that portion of Rule Six relating to the final passage of bills. All proposed amendments to these rules shall be referred to the Committee on Rules, without debate.

XXXVI.—POWERS AND PREROGATIVES OF PRESIDENT.

The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the Journals, papers, and bills of the Senate; he shall see that all officers of the Senate perform their respective duties, and may assign places to reporters.

XXXVII.—PRESIDENT MAY ORDER LOBBIES CLEARED.

In case of a disturbance, or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have power to order the same to be cleared.

XXXVIII.—PRESIDENT MAY CALL SENATORS TO THE CHAIR.

The President shall have the right to name any Senator to perform the duties of the Chair, who is hereby vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

XXXIX.—SERGEANT-AT-ARMS.

A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof as shall be directed to him by the President. The actual expenses of the Sergeant-at-Arms, for every arrest, for each day's custody and releasement, and for traveling expenses for himself and special messenger, going and returning, shall be paid out of the Contingent Fund, and no other fees shall be paid him beyond his per diem. It shall be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators, to prepare checks, and, if required so to do, draw the money on such checks for the Senators (the same being previously signed by the President, and indorsed by the Senator or person to whom the check is made), and pay over the same to the Senator or person entitled thereto.

XL.—MESSENGERS—WHEN INTRODUCED.

Messengers are introduced in any state of business, except while a question is being put, while the ayes and noes are being called, or while the ballots are being counted.

XLI.—DOORKEEPER.

It shall be the duty of the Doorkeeper to prohibit all persons except Senators, members of the Assembly, State officers, officers of the two Houses, and such reporters as have

seats assigned them by the President, from coming within the bar of the Senate, unless invited by the President or a Senator, and to arrest for contempt all persons outside the bar, or in the gallery, found engaged in loud conversation, or otherwise making a noise, to the disturbance of the Senate.

XLII.—EXECUTIVE NOMINATIONS.

When nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be, unless the Senate shall by a majority vote otherwise direct, acted upon at once.

XLIII.—PRINTING.

Five hundred copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity, before payment shall be made or bills audited therefor. Two copies of each bill or paper printed by order of the Senate shall be delivered to each Senator, and a number equal to the committee to whom such bill is referred, and the balance shall be distributed according to law.

XLIV.—NUMBER OF COPIES TO BE PRINTED.

Three hundred and sixty copies shall be printed of each document or other matter ordered, unless the Senate specially direct a different number.

XLV.—SECRET SESSION.

On a motion, made and seconded, to close the doors of the Senate on the discussion of any business which may, in the opinion of the Senate, require secrecy, the President shall require all persons, except the Senators, Secretaries, Sergeant-at-Arms, and Doorkeeper of the Senate, to withdraw, and during the discussion of said motion the doors shall remain closed; and every member and officer of the Senate shall keep secret all such matters, proceedings, and things, whereof secrecy shall be enjoined by order of the Senate.

XLVI.—ORDER OF ENGROSSING AND ENROLLING BILLS.

All bills ordered engrossed shall be delivered to the Engrossing Clerk by the Secretary of the Senate, and the receipt, in writing, of the Engrossing Clerk taken therefor; and all said bills shall be engrossed in the order of their receipt, by said Engrossing Clerk; and all Senate bills shall, after their final passage by and receipt from the Assembly, be delivered to the Enrolling Clerk by the Secretary of the Senate in the order of their receipt from the Assembly, and the receipt, in writing, of said Enrolling Clerk taken therefor; and said bills shall be enrolled by the Enrolling Clerk in the order of their receipt from the Secretary of the Senate.

XLVII.—PRINTING THE DAILY JOURNAL.

The Superintendent of State Printing shall print a sufficient number of copies of the Journal of every day's proceedings of the Senate, to supply Senators, daily, during the session, with the Journal of the previous day's proceedings; and, also, a sufficient number of copies, with proper repaging, to bind at the end of the session of the Legislature, in book form, as the Journal of the Senate, required by law.

XLVIII.—AUTHOR TO SPEAK LAST.

The author of a bill, motion, or resolution, shall have the privilege of closing the debate.

XLIX.

All committees of the Senate shall report their action on all bills or matters referred to them within five days after reference, unless otherwise specially ordered.

L.—FORM OF PREVIOUS QUESTION—CALL OF SENATE.

The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the Senators present upon division, and its effect shall be to put an end to all debate and bring the Senate to a direct vote upon amendments reported by a committee, if any, upon pending amendments, and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the Senate shall be in order; but after a majority of Senators shall have seconded such motion, no call shall be in order prior to the decision of the main question.

LI.

A Senator, after the notice of motion to reconsider is given, as provided in Rule 29, may, at the time of consideration of such motion, present the main question in his argument thereon, and the same may be debated by the Senate.

Senator McGowan presented a remonstrance against the passage of Senate Bill No. 12, and thereupon moved that it be inserted in the Journal.

Senator Campbell of Siskiyou objected.

While the remonstrance was being read for information, Senator Seawell moved that further reading be dispensed with, and that it be printed in the Journal.

So ordered.

REMONSTRANCE.

To the honorable the Senate and Assembly in Legislature Assembled:

The undersigned, your petitioners, citizens and residents of the county of Del Norte, and State of California, hereby respectfully remonstrate against the passage of an Act repealing "An Act to declare the Klamath River navigable," approved April 23, 1880, for the following reasons:

I.

The said river is now navigable in point of fact for steamers for a distance of eight miles, and can be improved so that it will be navigable for at least thirty miles above its mouth, at a moderate expense.

II.

It is now navigated by steamers carrying in supplies for the residents, and carrying out tan bark and fish and other products of the country.

III.

It is the second river in size in the State of California, and is the only commercial outlet for a large section of timber and agricultural land.

IV.

The Klamath River Indian Reservation at present covers an extent of country one mile in width on each side of said river, and extending twenty-five miles up stream. A bill to abolish said reservation has passed the lower House of Congress, and is now before the Senate for passage. If passed, a large number of persons, settlers and others, will engage in varied industries along said river, and the river will be extensively used for navigation.

V.

Mining debris has already shoaled the mouth of the river, and the bar beyond the same, and the miners of the counties through which this river runs, above this county, are the only ones interested in the said repeal of said Act, so they may have an outlet for the debris from their mines.

VI.

The mouth of the river should be improved by Congress, who will not do so until a stop is put to the debris running into said river.

WHEREFORE, We ask that the repealing Act do not pass.

And your petitioners will ever pray, etc.

James E. Murphy, Superior Judge.
I. K. Johnson, Supervisor No. 2.
N. McNamara, Supervisor No. 7.
John Miller, Supervisor No. 5.
J. B. Enclest, Sheriff.
John Respert.
John Hanolt, Farmer.
Nicholas Sackets, Saloonkeeper.
Robert J. Jenkins, City Marshal.
J. E. Eldridge, Pub. Del Norte "Record."
L. F. Cooper, District Attorney.
P. H. Peveler, County Clerk.
J. R. Benson, Carpenter.
Charley Benson, Carpenter.
James Donoven, Saloonkeeper.
Peter Dantz, Saloonkeeper.
G. H. Hobbs, Engineer.
G. W. Simmons, Fisherman.
S. G. Seligman, Clerk.
Wolf Morris, Merchant.
P. Emetsburg, Butcher.
W. H. Woodbury, Hotelkeeper.
A. M. Jacobus, Saloonkeeper.
Benjamin West, Saloonkeeper.
P. H. Gay.
W. A. Fleming, Clerk.
J. P. Fischerman.
P. Holton.
Patrick Corcoran, Woodsman.
John Murray.
Michael Essesine, Merchant.
E. A. Work.
S. S. Reed, Saloonkeeper.
Wm. Scholl.
V. A. Choigneau, M.D., Surgeon.
John Malone, Jr., Assistant Surgeon.
H. A. Harny, County Surveyor.
A. A. Britton.
Henry Livords.
J. Marhoffer.
James Rogers.
Joseph Bertsch, Farmer.
Joseph Bowie, Millman.
G. W. Tucker, Cook.
D. S. Sartwell, Justice of the Peace.
C. B. Kustel, Millman.
C. C. Stroud, Drayman.
Ira Hampson, Miner.

Dennis Turge, Farmer.
John Cresswell, Farmer.
Geo. W. Oliver.
William Wulf.
Henry Wulf.
W. W. McLaren.
James Hughes, Druggist.
Joseph A. Wall.
E. T. Silleck.
Milton McMurray, Druggist.
Wm. Mellon, Clerk.
T. W. Patty, Clerk.
J. P. Crawford, Barber.
John J. Stelzer, Merchant.
Geo. H. Crawford, Teamster.
Thos. F. McNamara, Butcher.
Lannes McLaren, Merchant.
D. W. Rice, Treasurer of Del Norte Co.
W. H. Hamilton, Bookkeeper.
M. J. McNamara, Salesman.
T. Crusins, Butcher.
Fred. Corwin.
F. E. Goodrich, Saloonkeeper.
Robert Robinson, Teamster.
Thomas J. T. Berry, Liveryman.
C. F. Goodrich, Merchant.
S. Y. Hamilton, Clerk (C. F. G.)
Nathan McVay, Accountant (C. F. G.)
F. Ferguson, Tinsmith.
Wm. Hodgkins, Harnessmaker.
B. Heiniche, Blacksmith.
Hugh Maxwell.
J. Wanger & Co.
Edwin Moore, Teacher.

JOINT RESOLUTIONS.

The printing of the following is in compliance with the resolution of Senator Wilson, adopted January 22, 1891:

SENATE JOINT RESOLUTION No. 1.

INTRODUCED BY MR. WILSON, JANUARY 12, 1891, AND REFERRED TO COMMITTEE ON FEDERAL RELATIONS.

Joint resolution memorializing Congress to loan money to farmers, and to charge interest therefor at the rate of two per cent per annum.

WHEREAS, It has been the policy of the wisest men of all times and countries to encourage and protect the industry of farming; and whereas, on the prosperity and success of farming depends the welfare of every other American industry and enterprise; and whereas, under the present condition of affairs it is impossible to extend to farming the same protection that is given to other industries by the American system of import duties; and whereas, the circulating medium of the United States is insufficient to supply the demands of commerce and trade; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That the Congress of the United States be and is hereby requested to make the necessary laws whereby any person owning and cultivating lands within the boundaries of the United States can borrow money to the amount of sixty per cent of the value of such lands from the Government of the United States by paying two per cent interest per annum, and mortgaging said lands as security for said loans; and be it further

Resolved, That a copy of this memorial be transmitted by the Governor of the State to each of our Representatives in Congress, and that they be requested to use all honorable endeavors to obtain such laws.

Also:

SENATE JOINT RESOLUTION No. 2.

Joint resolution memorializing Congress to loan money to farmers, and to charge interest therefor at the rate of two per cent per annum.

WHEREAS, Certain combinations of speculators, not legitimately engaged in the business of buying and selling grain and other farm products, have so manipulated the market for such products that the law of supply and demand no longer prevails; and whereas, the condition of the farmers is such in every part of the United States that they are, by necessity, compelled to place the whole product of their farms upon the market as soon as harvested, regardless of the condition of the market, thereby often suffering severe loss; and whereas, the placing of almost the entire product of farming on the market at one time has a tendency, and does at other times place the control of such products largely in the hands of speculators and combinations, thereby entailing a heavy burden on the consumers; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That the Congress of the United States be and it is hereby requested to make the necessary laws whereby, upon the petition of one hundred persons owning and cultivating lands in any county of any State or Territory of the United States, the Government of the United States shall establish a Sub-Treasury and a warehouse in said county, whereupon any person may store in said warehouse such farm products as are not subject to decay, and upon insuring said products against fire or other destruction, may borrow eighty per cent of the market value of said products from the Government of the United States for a period not to exceed one year, upon paying interest therefor, at the rate of two per cent per annum, for such time as said loan remains unpaid, the Government of the

United States to hold said products as a pledge until the payment of said loan; *provided*, all such products must be the products of land owned or cultivated by the person storing said products; and be it further

Resolved, That a copy of this memorial be transmitted by the Governor of the State to each of our Representatives in Congress, and that they be requested to use all honorable endeavors to obtain such laws.

ADJOURNMENT.

At five o'clock and ten minutes P. M. the Senate, on motion of Senator Goucher, adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, January 24, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Banks, Berry, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Dray, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Qnorum present.

PRAYER.

Prayer by the Rev. A. T. Needham.

READING OF THE JOURNAL.

During the reading of the Journal, Senator De Long moved that the further reading of the Journal be dispensed with.

So ordered.

LEAVE OF ABSENCE.

Senators Langford, Bailey, and Byrnes were each granted leave of absence for the day.

Senator Heacock asked that the memorial from Santa Barbara County Farmers' Alliance and Industrial Union, relating to the forests of the State, be printed in the Journal.

So ordered.

MEMORIAL.

To the honorable the Senate and Assembly of the State of California:

WHEREAS, The forests of California constitute the most important source of wealth yet remaining undisturbed in the hands of the people; and whereas, these forests, through want of proper care, are subjected to frequent waste by fire, and to gigantic thefts and frauds by private individuals and corporations who appropriate to their own use the public property; and whereas, their preservation intact is of supreme interest to the farming community, both as a source of lumber and as an incalculable influence upon our climate and water supply; therefore, be it

Resolved, By the Farmers' Alliance of Santa Barbara County, that we urge upon our legislators the importance of increased protection and control over this priceless gift of

Nature which has required ages for its growth, and which once destroyed can never be replaced.

Resolved, That we demand the enlargement of the scope and powers of the State Board of Forestry, so as to include the entire control of all the State school lands which are forest-covered, with power to sell at auction the timber on these lands as it reaches maturity, under strict supervision for the preservation of immature trees and young seedlings for a future crop. By these means we believe that a considerable and constant income could be obtained for the use of the public schools from lands which at present are a constant expense and a continual temptation to theft and fraud, or when sold to lumbermen and speculators are stripped of their timber and then allowed to revert to the State for non-payment of taxes, denuded and worthless.

Resolved, That our strongest reprobation is deserved by a Legislature, which, at the behest of a lobby of greedy contractors, voted over a million dollars for the erection of palatial reformatories and structures of ornate architecture for the use of the feeble-minded, yet, at the same time, under the pretense of economy, refused to make a sufficient appropriation for the care and preservation of the most valuable property belonging to the people of California—her forests.

S. K. SHILLING,
President, Santa Barbara County Farmers' Alliance and Industrial Union.

M. A. SPRING, Secretary.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 24, 1891.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 301—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DE LONG, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator De Long:

Resolved, That Senate Bill No. 301 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, upon one day, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Dray, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—30.

NOES—Mr. Campbell of Solano—1.

FIRST, SECOND, AND THIRD READINGS OF BILL.

Senate Bill No. 301—An Act making appropriation of money to supply the deficiency in the appropriation for the support of the State Printing Office for the forty-second fiscal year.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Dray, Flint, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McComas, Ostrom, Seawell, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), and Wilson—25.

NOES—Mr. Campbell of Solano—1.

Title read and approved.

MOTION.

Senator De Long offered the following:

Amend Senate Bill No. 41 by adding in section one, line six, of the printed bill, after the words "of this State," the following: "And all incorporated banks doing business in this State;" and moved that it be referred to the Chairman of the Committee on Engrossment, with instructions to amend as above.

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, January 24, 1891.

MR. PRESIDENT: Your Special Committee, to whom was referred Senate Bill No. 41, with instructions to amend as follows: By adding in section one, line six, of the printed bill, after the words "of this State," the following: "And all incorporated banks doing business in this State"—would respectfully report that the instructions of the Senate have been carried out.

RAGSDALE, Committee.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, January 24, 1891.

MR. PRESIDENT: Your Committee on Engrossment beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 82—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-six, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Also: Senate Bill No. 148—An Act to provide for the construction and furnishing of a kitchen and dining-room at the Napa State Asylum for the Insane, and making an appropriation therefor.

Also: Senate Bill No. 196—An Act to provide for the removal of the old wooden fence, sidewalks, and curb from the State Capitol grounds, located at Sacramento, and have constructed in their stead a granite post and chain fence, a concrete sidewalk, and granite curb, and to appropriate money therefor.

Also: Senate Bill No. 197—An Act to provide for the completion of the ten tiers of granite steps in the State Capitol grounds, located in Sacramento, and to appropriate money therefor.

RAGSDALE, Chairman.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, January 24, 1891.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bills Nos. 66 and 264—report that they have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 40—with a recommendation that it do not pass.

Also: Senate Bill No. 133—with an amendment, and recommend the passage of said bill as amended.

FRASER, Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, January 24, 1891.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was rereferred Senate Bill No. 83—An Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work—have had the same under consideration, and recommend the following amendments:

Section one, line three, insert the word "labor" between the words "hours" and "constitute."

Section one, line eight, after the word "every," strike out the words "party to such contract," and insert in lieu thereof the words "contractor or sub-contractor."

Section one, line twelve, after the word "contract," insert the words "or sub-contracts."

Section one, line thirteen, strike out the word "party," and insert in lieu thereof the words "contractor or sub-contractor."

Section one: strike out all of section one after the word "otherwise," in line fifteen.
Section two: strike out all of section two.
And respectfully report the same back, and recommend that it do pass as amended.
Also: Senate Bill No. 81—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.
Also: Senate Bill No. 281—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations—have had the same under consideration, and recommend the following amendments: that sections three and four be stricken out—and respectfully report the same back, and recommend that it do pass as amended.

MAHER, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 23, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 167—An Act to make train-wrecking a capital offense.
Also: Senate Bill No. 227—An Act entitled an Act to add another section to the Code of Civil Procedure of the State of California, relating to incompetent persons.
Respectfully report the same back, and recommend that they do pass.
Also: Senate Bill No. 134—An Act to amend sections one thousand one hundred and eighty-seven and one thousand one hundred and eighty-nine, and to repeal sections one thousand one hundred and eighty-six and one thousand one hundred and ninety-one of the Civil Code, relating to the recording and the acknowledgment of transfers.
Also: Senate Bill No. 287—An Act to amend section ninety-two of the Civil Code, and to add a new section to the Civil Code, to be designated as section one hundred and eight, concerning divorces.
Also: Senate Bill No. 238—An Act to amend sections seven hundred and ninety-nine and eight hundred of the Penal Code, relating to the limitation of time within which prosecution for murder, the embezzlement of public moneys, and the falsifications of public records must be commenced.
Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.
Also: Senate Bill No. 299—An Act to amend section one thousand two hundred and sixty-five of the Civil Code, relating to homesteads—respectfully report the same back, and recommend that it do not pass.

SPRAGUE, Chairman.

MOTION.

Senator Heacock moved to take up Assembly messages.
So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Joint Resolution No. 8—Relative to authorizing and directing the State Printer to deliver ten copies of every work published or printed in the State Printing Office to the State Librarian, also two copies to the Librarian of the State University.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant Clerk.

Referred to Committee on State Library and Rules.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended, and passed as amended, Assembly Bill No. 207—An Act to amend sections two hundred and forty-five, two hundred and forty-six, and two hundred and sixty-eight of the Political Code of the State of California, and to repeal sections two hundred and forty-eight and two hundred and forty-nine of said Code.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant Clerk.

MOTION.

Senator Heacock moved that the Senate concur in the Assembly amendments to Senate Bill No. 207.
Ayes and noes demanded by Senators Goucher, Fraser, and Ostrom.

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Banks, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Dray, Hamill, Heacock, Maher, Mahoney, McComas, Ragsdale, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—21.

NOES—Messrs. Berry, Fraser, Goucher, Harp, Ostrom, Seawell, and Wilson—7.

On motion of Senator Heacock, Senate Bill No. 207 was ordered to enrollment.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following Assembly Bills, viz.:

Assembly Bill No. 121—An Act to repeal an Act entitled "An Act to declare the Klamath River navigable."

Also: Assembly Bill No. 129—An Act to add an additional section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain a divorce, or to aid therein.

Also: Assembly Bill No. 66—An Act authorizing incorporated cities to acquire, by gift, purchase, or condemnation proceedings, water, water rights, reservoir sites, rights of way, and other appliances for supplying such cities and their inhabitants with water.

Also: Concurred in Senate Joint Resolution No. 2—Relative to the erection of a gun factory at Benicia for finishing and assembling high power guns.

H. A. MASON, Chief Clerk.
By E. J. SMITH, Assistant Clerk.

Assembly Bill No. 121 referred to Committee on Harbors, Rivers, and Coast Defenses.

Assembly Bills Nos. 129 and 66 referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 23, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolutions:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to pay the following bills: Union Ice Company, for ice furnished, ten dollars and fifty cents; Wangenheim, Steinman & Co., for two filters, thirty-five dollars and fifty cents; C. H. Gilman & Co., for two umbrella stands, twelve dollars and seventy-five cents; and John P. Hughes, for carpenter work done, eighteen dollars and forty-five cents. The same to be paid out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrant for same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also:

Resolved, That the State Controller be and he is hereby requested to draw his warrant on the State Treasury in the sum of twenty-five ($25) dollars each, for Lieutenant-Governor J. B. Reddick, Senator Shippee, and Sergeant-at-Arms Rogers, the same to be paid out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to have tables in committee room number sixteen repaired at an expense not to exceed sixteen dollars, the same to be paid out of the contingent expenses of the Senate, and the Controller is directed to draw his warrant on the Treasurer for the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BYRNES, Chairman.

ADOPTION OF REPORT.

Senator Maher moved the adoption of the report.

Roll called, and report adopted by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, Ostrom, Preston, Seawell, Shippee, Simpson, Streeter, Voorhies, Williams (Geo. H.), and Wilson—29.

NOES—Mr. Goucher—1.

MOTION.

Senator De Long moved that the hour for recess be extended.

So ordered.

LEAVE OF ABSENCE.

Senators Harp and Broderick were each granted leave of absence for the day.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Carpenter: Senate Bill No. 427—An Act to authorize the Trustees of municipal corporations having a voting population of less than two hundred voters, to wind up the affairs of said corporation, by paying off its indebtedness, disposing of its property and turning over the proceeds to the County Supervisors for its own local improvements, etc., and to declare said corporation no longer in force.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 428—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part two of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for construction of sewers within municipalities," approved March 18, 1885, relative to a system of street improvement certificates.

Referred to Committee on City, City and County, and Town Governments.

By Senator Ostrom: Senate Bill No. 429—An Act to abolish certain Commissions of this State, and to establish a Department of the Interior, to define its powers, to provide for the appointment of a Commissioner of the Interior, and such other officers as the said department may require, to define the duty of said Commissioner and the other said officers, to provide for the enforcement of the rules and regulations thereof, and to appropriate money for the support of said department.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

By Senator Carpenter: Senate Bill No. 430—An Act to amend section one thousand eight hundred and fifty-nine of "An Act to establish a Civil Code," approved March 21, 1872, relative to innkeepers.

Referred to Committee on Judiciary.

By Senator Crandall: Senate Bill No. 431—An Act to amend section one thousand two hundred and seventeen, one thousand two hundred and twenty, one thousand two hundred and twenty-one, one thousand two hundred and twenty-three, one thousand two hundred and twenty-four, one thousand two hundred and twenty-five, one thou-

sand two hundred and twenty-six, one thousand two hundred and twenty-seven, one thousand two hundred and twenty-nine, and one thousand two hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to execution of judgment of death.

Referred to Committee on Judiciary.

By Senator Seawell: Senate Bill No. 432—An Act fixing a bounty on coyote scalps.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

Also: Senate Bill No. 433—An Act to add two new sections to the Penal Code, to be numbered sections one thousand three hundred and twenty-nine and one half and one thousand three hundred and twenty-nine and three quarters, relative to paying witnesses in criminal cases.

Referred to Committee on Judiciary.

CONSTITUTIONAL AMENDMENT.

By Senator Carpenter: Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section eight of article eleven thereof, relative to the forming and adoption of charters by cities containing more than three thousand five hundred inhabitants.

Referred to Committee on City, City and County, and Town Governments.

JOINT RESOLUTION.

By Senator Ostrom: Senate Joint Resolution No. 11—Joint resolution memorializing Congress to pass an Act forfeiting to the General Government the lands granted to certain railroads, because of non-compliance by them with the Acts of Congress granting said lands.

Referred to Committee on Federal Relations and Immigration.

Senator Carpenter moved that five hundred extra copies of Constitutional Amendment No. 14 be printed.

So ordered.

ADJOURNMENT.

At twelve o'clock and fifteen minutes P. M., on motion of Senator Campbell of Siskiyou, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, January 26, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names.

Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher,

Hamill, Harp, Heacock, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by the Rev. A. T. Needham.

LEAVE OF ABSENCE.

Senators Banks and McComas were each granted a leave of absence for the day.

READING OF THE JOURNAL.

The Journal of Saturday, January 24, 1891, was read, corrected, and approved.

Senator Heacock moved that the Journal of Friday, January twenty-third, be approved.

So ordered.

PETITIONS.

Senator Goucher presented the following petition, which was referred to Committee on Elections:

To the honorable the Senate and Assembly of the State of California, in Legislature assembled:

The undersigned petitioners, residents and taxpayers of Fresno County, State of California, respectfully represent that they believe in the Australian system of balloting, and wish you to pass such a law at the present session, 1891, if possible, and that they your petitioners fully believe that such action on your part would be in favor of the best interests of the State of California, and would be in complete accord with the will of the majority of the citizens, and your petitioners as in duty bound will ever pray.

One hundred and twenty signatures of citizens follow.

By Senator Goucher: Petition relative to compelling railroad companies to place flagmen at certain stations and crossings.

Referred to Committee on Counties, County Government, and Township Organization.

By Senator Ostrom: Two petitions, relative to necessary legislation for the formation of mutual insurance companies.

Referred to Committee on Corporations.

PERMISSION TO WITHDRAW.

Senator Voorhies asked permission to withdraw Senate Bill No. 388, and to substitute therefor another bill bearing on same subject, which shall take its place.

Granted.

INTRODUCTION OF SUBSTITUTE BILL.

By Senator Voorhies: Substitute for Senate Bill No. 388—An Act to divide the State of California into Congressional Districts.

Referred to Committee on Apportionment and Representation.

REPORTS OF STANDING COMMITTEES.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 26, 1891.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 6—In relation to reassessments of property, and the equalization of the same, in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessments—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 342—To provide for the appointment of a Guardian for the Marshall monument and grounds, prescribing his duties and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 274—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 267—To regulate the interest of money—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 262—Making appropriation to pay the deficiency in the appropriation for the salary of the Executive Secretary to the Governor for the forty-first and forty-second fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DE LONG, Chairman.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, January 26, 1891.

MR. PRESIDENT: Your Committee on Engrossment beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 41—An Act to amend section four thousand one hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the deposit of public funds.

Also: Senate Bill No. 84—An Act to regulate the practice of pharmacy and sale of poisons in the State of California.

Also: Senate Bill No. 113—An Act to authorize the establishment of County High Schools, and provide for their support.

RAGSDALE, Chairman.

ON CLAIMS.

MR. PRESIDENT: Your Committee on Claims, to whom was referred for consideration Senate Bill No. 62—"An Act for the relief of Patrick Creighton"—beg leave to report the same back without consideration as to its merits, and recommend that it be re-referred to the San Francisco delegation.

HEACOCK, Chairman.

On motion of Senator Heacock, the report was adopted.

ON PUBLIC ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, January 22, 1891.

MR. PRESIDENT: Your Committee on Public Roads and Highways, to whom was referred Senate Bill No. 5—An Act to add a new section to the Political Code, to be numbered section two thousand six hundred and twenty-three, in relation to vacating public roads—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 3—An Act to amend section two thousand six hundred and eighty-eight of the Political Code of the State of California, concerning the hearing of the reports of viewers of public highways by Boards of Supervisors, and the manner, time, and place of hearing such report, and the method of giving notice of such time and place to non-consenting land owners, and concerning damages to be awarded on such hearing—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 4—An Act to amend section two thousand six hundred and eighty-two of the Political Code of the State of California, in relation to the character of petitions to be presented for the purpose of altering, laying out, or constructing, or discontinuing, or abandoning of any public highway—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BAILEY, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Everett: Senate Bill No. 434—An Act to amend section two hundred and ninety of the Civil Code, relative to articles of incorporation.

Referred to Committee on Corporations.

By Senator Sprague: Senate Bill No. 435—An Act to amend section thirty-five of an Act entitled an Act to repeal the Act passed March 26, 1851, entitled "An Act to incorporate the city of Sacramento and the several Acts amendatory and supplementary thereto, and to incorporate the city and county of Sacramento," approved April 24, 1858.

Referred to Committee on Judiciary.

By Senator Mahoney: Senate Bill No. 436—An Act to amend section three hundred and seventy-seven of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to actions for damages for death caused by wrongful acts or negligence.

Referred to Committee on Judiciary.

Also: Senate Bill No. 437—An Act to add a new section to an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, to be designated as section three hundred and seventy-seven and one half, relating to damages in cases of death.

Referred to Committee on Corporations.

Also: Senate Bill No. 438—An Act to add a new section to an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, to be designated as section three hundred and seventy-six and one half, relating to actions for wrongful or negligent injuries to minors.

Referred to Committee on Judiciary.

By Senator Mahoney (by request): Senate Bill No. 439—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a section thereto, to be known as section two thousand and eighty, and providing for the manner of proving the formation of corporations.

Referred to Committee on Judiciary.

Also: Senate Bill No. 440—An Act to amend section three hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to actions for the death of minors.

Referred to Committee on Judiciary.

By Senator Goucher: Senate Bill No. 441—An Act to provide for public safety at steam railroad crossings, to secure flagmen therefor, and to regulate speed of engines on crossings, streets, and avenues.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 442—An Act to amend section three and section thirteen of an Act entitled "An Act to promote drainage."

Referred to Committee on Irrigation and Water Rights.

By Senator Maher: Senate Bill No. 443—An Act for the relief of Peter Connolly, his assigns or legal representatives.

Referred to San Francisco Delegation.

By Senator De Long: Senate Bill No. 444—An Act to amend section six hundred and forty-seven of the Penal Code, concerning vagrants.

Referred to Committee on Judiciary.

By Senator McGowan: Senate Bill No. 445—An Act to amend section forty-eight of the Insolvent Act of 1880.

Referred to Committee on Judiciary.

Also: Senate Bill No. 446—An Act to amend section forty-nine of the Insolvent Act of 1880.

Referred to Committee on Judiciary.

Also: Senate Bill No. 447—An Act to amend section fifty-five of the Insolvent Act of 1880.

Referred to Committee on Judiciary.

Also: Senate Bill No. 448—An Act to amend section three thousand six hundred and forty of the Political Code of the State of California, concerning the assessment of corporations, associations, and joint-stock companies.

Referred to Committee on Corporations.

Also: Senate Bill No. 449—An Act to add a new section to the Civil Code of the State of California, said section to be numbered one thousand six hundred and seventy-seven.

Referred to Committee on Judiciary.

Also: Senate Bill No. 450—An Act to amend section three thousand six hundred and eight of the Political Code, relative to revenue and taxation.

Referred to Committee on Corporations.

By Senator Dray: Senate Bill No. 451—An Act creating a lien for the furnishing and construction of monuments, tombstones, and other work in cemeteries, when the sum exceeds twenty-five dollars.

Referred to Committee on Labor and Capital.

By Senator Dargie: Senate Bill No. 452—An Act for the relief of the Oregon Improvement Company (a corporation) for the loss of a horse, because of the carelessness of State officials.

Referred to Committee on Claims.

Also: Senate Bill No. 453—An Act to provide for the superintendence of State buildings and works, the appointment of a superintending engineer, to prescribe his duties and fix his compensation, and to make an appropriation for expenses.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Heacock: Senate Bill No. 454—An Act to amend section two hundred and fifty-six of the Political Code of the State of California, to provide for the printing of the daily Journal of each House of the Legislature, and to repeal section two hundred and fifty-seven of said Code.

Referred to Committee on Judiciary.

Also: Senate Bill No. 455—An Act adding a new section to the Political Code of the State of California, to be known and designated as section five hundred and thirty-nine, relative to the engrossment and enrollment of bills and other documents, and repealing sections two hundred and forty-eight and two hundred and forty-nine of said Code.

Referred to Committee on Judiciary.

By Senator Berry: Senate Bill No. 456—An Act to amend section one thousand and ninety-six of the Political Code of the State of California, in relation to registration of voters.

Referred to Committee on Elections.

Also: Senate Bill No. 457—An Act to amend section one hundred and eighty-three of the Political Code of the State of California, an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 17, 1887, also approved March 16, 1889.

Referred to Committee on Counties, County Government, and Township Organization.

By Senator Sprague: Senate Bill No. 458—An Act defining the word "revenue" when used in any statute of this State, providing for the payment of the revenue from certain municipal sources into a sinking and interest fund for the payment of the annual interest and the final redemption of the bonded indebtedness of any city, or city and county in this State.

Referred to Committee on Judiciary.

Also: Senate Bill No. 459—An Act to amend section seventeen of the Political Code of the State of California, defining the meaning of certain words.

Referred to Committee on Judiciary.

Also: Senate Bill No. 460—An Act to provide for Police Courts in cities having twenty-five thousand and under one hundred thousand inhabitants, and to provide for officers thereof.

Referred to Committee on Judiciary.

By Senator Hamill: Senate Bill No. 461—An Act to create and establish a State Board of Insurance, prescibe its powers and duties, and to provide for cheap and safe insurance in this State against losses by fire.

Referred to Committee on Judiciary.

By Senator Berry: Senate Joint Resolution No. 12—Relative to furnishing Kern County with one set of California Reports.

Referred to Committee on Judiciary.

RESOLUTION—(OUT OF ORDER).

By Senator Goucher:

Resolved, That the Chairmen of the Committees on Elections, Corporations, Judiciary, and Counties, County Government, and Township Organization, be and they are hereby directed to hold a meeting and to arrange times for their committee meetings, so as to avoid, as far as practicable, conflicting meetings of any two of said committees, and to arrange times of said committees' meetings, so that no two thereof shall occur at the same hours.

AMENDMENTS.

Senator Seawell offered the following amendment:

Add to those named in the resolution the Chairmen of the Committee on Apportionment, Committee on Military Affairs, Committee on Library and Rules, Committee on Education and Public Morals, and the Committee on State Prisons and Prison Buildings.

Senator Heacock offered as a substitute motion for the resolution and amendment, that the Chairman of each named committee confer with the Chairmen of all other Senate committees, to arrange time for meetings of committees, at adjournment to-day.

Substitute motion adopted.

THIRD READING OF BILLS.

Senate Bill No. 29—An Act to amend section two hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, in relation to the adoption of children.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—34.

NOES—None.

Title read and approved.

Senate Bill No. 7—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, town, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 10, 1887.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, Maher, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—32.

NOES—None.

Title read and approved.

REPORT FROM SECRETARY OF STATE.

STATE OF CALIFORNIA, DEPARTMENT OF STATE,
SACRAMENTO, January 26, 1891.

To the honorable President and members of the Senate:

In compliance with a resolution passed by your honorable body on the twenty-third instant, I beg leave to submit the following report respecting the condition of the different funds of this department; said funds, with the exception of the fund for the repairs to Capitol and furniture, and purchase of furniture and carpets, and the fund for stationery, fuel, lights, and supplies, are in a condition to meet the possible demands on them for the present fiscal year.

The fund for repairs to Capitol and furniture and purchase of furniture and carpets is deficient two thousand one hundred and forty-five dollars and thirty-seven cents. As to what portion, if any, of said deficiency was authorized by the State Board of Examiners, I am unable to state, as I find no data in this office for the purpose. My estimate is that seven thousand five hundred dollars for repairs to Capitol and furniture and purchase of new furniture and carpets would be ample for use during the balance of the fiscal year. There is not, at present, any deficiency in the stationery, fuel, lights, and supply fund, but I find that the amount in said fund will not be sufficient to meet the demands which will be made against it during the remainder of this fiscal year. The following statement will more clearly illustrate the condition of said fund and disclose its needs, as based on a like period and demands of a former fiscal year:

Gas bill for January	$1,000 00
Electric light for January	53 00
Bill for wood on hand	205 50
Stationery bills outstanding	100 00
Electric lights, five months, at $53	265 00
Gas bills for February and March	2,000 00
Gas bills for April, May, and June	600 00
Fuel for five months	500 00
Stationery for five months	500 00
Total amount required	$5,223 50
Amount in fund	2,548 11
Estimated deficiency	$2,675 39

I would suggest that an appropriation of three thousand dollars be made to meet a certain deficiency as herein stated, and to cover any possible unforeseen expense against this fund.

Respectfully,

E. G. WAITE, Secretary of State.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 24, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 34—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to the redemption of property sold for delinquent taxes, and the notices to be given by the purchasers of property at delinquent tax sales before applying for a deed.

Also: Senate Bill No. 51—An Act to amend an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, and to authorize the owners of lots in such cemeteries to transfer them by deed.

Also: Senate Bill No. 71—An Act prescribing the competency and for the protection of witnesses testifying as to crimes against the elective franchise; to be added as a new section under title four of the Penal Code of the State of California, and to constitute section sixty-four of said Penal Code.

Also: Senate Bill No. 119—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Also: Senate Bill No. 120—An Act to amend section one hundred and seventy-two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the husband's control and disposition of the community property.

Also: Senate Bill No. 87—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to chapter eight, title thirteen, part one, one section, numbered five hundred and thirty-eight, relating to the punishment of fortune telling.

Respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 109—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a section thereto, to be known as section one hundred and sixteen (116) of said Act, relating to practice in township and municipal Courts—respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 63—An Act to fix the compensation for gas supplied by persons, companies, or corporations, to any city, or incorporated city and county, of more than one hundred thousand (100,000) inhabitants, or to the inhabitants thereof, and to provide a penalty for collecting or attempting to collect illegal gas rates—respectfully report the same back without recommendation as to its constitutionality.

Also: Senate Bill No. 78—An Act entitled "An Act to provide for the payment for services rendered the State of California by William H. Thornley, as Deputy State Commissioner of Immigration, and making the necessary appropriation therefor"—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

SPRAGUE, Chairman.

THIRD READING OF BILLS—(RESUMED).

Substitute for Senate Bills Nos. 18 and 25—An Act to amend sections one thousand one hundred and eighteen and one thousand two hundred and thirty-eight of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872, relating to the dismissal of actions and to appeals.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Cambell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McGowan, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—34.

NOES—None.

Title read and approved.

Senate Bill No. 22—An Act to amend section four hundred of the Penal Code, relating to the offense of aiding, advising, and encouraging the commission of suicide, and to renumber said section.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser,

Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—35.
NOES—None.

Title read and approved.

Senate Bill No. 23—An Act to amend sections four hundred and four hundred and one of the Penal Code, relating to contagious diseases among animals, and to renumber said sections.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Everett, Flint, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McGowan, Mead, Ragsdale, Seawell, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—30.
NOES—Messrs. Hamill and Ostrom—2.

Title read and approved.

Senate Bill No. 24—An Act to amend section four hundred and one of the Penal Code, relating to the adulteration of candy, and to renumber said section.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—35.
NOES—None.

Title read and approved.

CORRECTION.

Senator Seawell asked that the file be corrected, by substituting his name for Senator Dargie's as the introducer of Senate Bill No. 135.

There being no objection, the correction was ordered.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 49—An Act to amend section seventy of the Civil Code, relating to solemnization of marriages.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Fraser, Goucher, Hamill, Harp, Heacock, Maher, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Williams (Geo. H.), and Wilson—27.
NOES—Messrs. Britt, Campbell of Solano, Mahoney, Voorhies, Welch, and Williams (Wm. H.)—6.

Title read and approved.

Senator Crandall moved to amend title by inserting after the word "Code," the words, "of the State of California," and that a committee of one, consisting of Senator Dray, be appointed and thus instructed.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee, to whom was referred Senate Bill No. 49, with instructions to amend by inserting in line one, after the word "Code," "of the State of California"—in the printed bill—has had the same under consideration, and respectfully report the same back amended as per instructions.

DRAY.

Title as amended read and approved.

Senator Heacock moved that Senate Bills Nos. 67, 70, and 76 be passed on file until printed as amended.

So ordered.

Senate Bill No. 77—An Act to legalize certain acknowledgments.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dray, Everett, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Voorhies, and Williams (Wm. H.)—27.

NOES—Mr. Hamill—1.

Title read and approved.

Senate Bill No. 82—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-six, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Senator Preston moved that the bill be referred back to its author, Senator Maher, as a special committee of one, with instructions to amend by substituting for the number "3246," the number "3245½," wherever it appears in the bill.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee, to whom was referred Senate Bill No. 82, with instructions to amend by striking out in the title the figures "3246," and inserting in lieu thereof "3245½," has had the same under consideration, and respectfully report the same back amended as per instructions.

MAHER, Committee.

On motion of Senator Goucher, Senate Bill No. 148 was passed on file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 26, 1891.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 143—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DARGIE, Chairman.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 196—An Act to provide for the removal of the old wooden fence, sidewalks, and curb from the State Capitol grounds, located at Sacramento, and have constructed in their stead a granite post and chain fence, a concrete sidewalk, and granite curb, and to appropriate money therefor.

After title had been read, and upon the question, "Shall the bill be read a third time," no quorum having voted, the President ordered the roll called.

The bill was ordered read by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Heacock, Maher, Mahoney, McGowan, Preston, Shippee, Sprague, Streeter, Welch, Williams (Wm. H.), and Willliams (Geo. H.)—22.

NOES—Messrs. Berry, Campbell of Solano, Goucher, Harp, Ostrom, Ragsdale, Seawell, Simpson, Voorhies, and Wilson—10.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Harp, Heacock, Maher, Preston, Ragsdale, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.
NOES—Messrs. Berry, Goucher, Ostrom, Shippee, and Wilson—5.

Senator Dray moved that the title be amended as follows: "An Act to provide for the improvement of the State Capitol grounds, located at Sacramento, and to appropriate money therefor."
Adopted.
Title read as amended, and approved.

REPORT OF COMMITTEE ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 26, 1891.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Joint Resolution has been correctly enrolled:
Senate Joint Resolution No. 2—Relative to the erection of a gun factory at Benicia for finishing and assembling high power guns—and have this day delivered the same to the Governor.

RAGSDALE, Chairman.

ADJOURNMENT.

At four o'clock and forty minutes P. M., on motion of Senator Berry, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 27, 1891.

Senate met pursuant to adjournment.
Hon. J. B. Reddick, President of the Senate, in the chair.
The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, Langford, Maher, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by the Rev. A. T. Needham.

READING OF THE JOURNAL.

The Journal of yesterday read, corrected, and approved.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, January 27, 1891.

MR. PRESIDENT: Your Committee on Engrossment beg leave to report that the following Senate Bill has been correctly engrossed:

Senate Bill No. 82—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

RAGSDALE, Chairman.

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, January 26, 1891.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Assembly Joint Resolution No. 4—Relative to the improvement of Humboldt Bar—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Joint Resolution No. 11—A resolution memorializing Congress to pass an Act forfeiting to the General Government the lands granted to certain railroads because of non-compliance by them with the Act of Congress granting said lands—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Joint Resolution No. 4—Relative to the election of United States Senators from the several States by the direct vote of the citizens instead of the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 176, with amendment: section three, line three, between the words "great" and "attached," insert the following: "Seal of State"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

G. H. WILLIAMS, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 27, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 79—An Act to amend section one thousand two hundred and nine of the Code of Civil Procedure of California, relating to the power of Courts in the matter of punishing contempts of Court—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SPRAGUE, Chairman.

LEAVE OF ABSENCE.

Senator Ostrom asked leave of absence for Senator McComas for the day.

Granted.

Senator Goucher was granted leave of absence "for a little while."

MOTION.

Senator Fraser moved that the committee amendments to Senate Bill No. 157 be printed.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

MR. PRESIDENT: Your committee, to whom was referred Senate Bill No. 151—An Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State," etc.—have had the same under consideration, and recommend that the same be amended as follows:

After the words "civil action" on line seventeen, page two, in section two of said Act, strike out all down to and including the words "public nuisance," at the end of line twenty-three, same page, and insert instead thereof the following, to wit:

"Any and all such places, or orchards, or nurseries, or trees, plants, shrubs, vegetables, vines, fruit, or articles, thus infested, are hereby adjudged and declared to be a public nuisance."

Also: After the word "county," on line thirty-two, said page two, strike out all down to and including the word "county," at the end of line thirty-six, said page two, and insert in place thereof the following:

"Any and all sum or sums so paid shall be or become a lien on the property and premises from which said nuisance has been removed or abated in pursuance of this Act, and may be recovered by an action against such property and premises, which action to foreclose all such liens shall be in the proper Court, in the name and for the benefit of the county making such payment or payments; and when the property is sold, enough of the proceeds shall be paid into the County Treasury of such county to satisfy the lien and costs, and an attorney fee in such foreclosure suit of one hundred dollars; *provided*, that in no event shall such attorney's fee become a charge against the county, or any of its funds, and the overplus, if any there be, shall be paid to the owner of the property, if he be known, and if not, then into the Court for his use when ascertained."

Also: After the word "power," on line thirty-seven, said page two, strike out all down to and including the word "and," at the beginning of line thirty-nine, said page two.

Also: On said line thirty-nine, page two, after the word "cause," strike out the words "the same," and insert in place thereof the words "any and all such nuisance," so the paragraph will read when thus amended, as follows:

"The County Board of Horticultural Commissioners is hereby vested with power to cause any and all such nuisance to be at once abated in a summary manner."

Also: Amend section two by striking out all of lines forty, forty-one, forty-two, forty-three, and forty-four, printed bill.

Also: Amend title so as to read:

"An Act amendatory of an Act entitled an Act to amend an Act entitled 'An Act to protect and promote the horticultural interests of the State,' approved March 14, 1881, approved March 19, 1889."

Also: Amend section five by striking out of line five, page three, printed bill, the word "less," and insert "more," and strike out the word "six," and insert "five," so as to read "of not more than five hundred dollars per annum."

And being so amended, we recommend that the bill do pass.

FRASER, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Campbell of Siskiyou: Senate Bill No. 462—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen, twenty-two, and twenty-three thereof, relating to irrigation districts.

Referred to Committee on Irrigation and Water Rights.

By Senator Dargie: Senate Bill No. 463—An Act to establish a naval battalion, to be attached to the National Guard of California.

Referred to Committee on Federal Relations and Immigration.

By Senator G. H. Williams: Senate Bill No. 464—An Act to amend sections nine hundred and thirty-six and nine hundred and thirty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Referred to Committee on Judiciary.

By Senator Carpenter (by request): Senate Bill No. 465—An Act to appropriate money for the payment of the unpaid salary of the Deputy Reporter of the Decisions of the Supreme Court for three months of the fortieth fiscal year.

Referred to Committee on Claims.

By Senator Preston (by request): Senate Bill No. 466—An Act authorizing the appointment of a State agent for the guidance and employment of discharged convicts, defining his duties, and appropriating money therefor.

Referred to Committee on State Prisons and Prison Buildings.

SENATE CONSTITUTIONAL AMENDMENT.

By Senator Mead: Senate Constitutional Amendment No. 15—Relative to a Board of Railroad Commissioners.

Referred to Committee on Finance.

SENATE JOINT RESOLUTION.

By Senator Carpenter (by request): Senate Joint Resolution No. 13—Relative to a uniform system of national money circulating medium.

Referred to Committee on Federal Relations and Immigration.

MOTION.

Senator Carpenter moved that when the Senate takes a recess to-day, it reassemble at one o'clock and thirty minutes P. M., and that when it adjourns to-day, it adjourn at three o'clock and thirty minutes P. M.

So ordered.

At the suggestion of Senators Heacock and Dray, it was agreed that no bills for claims against the State are to be placed on the special file, not being provided for in Rule 8 as entitled to place on special file.

THIRD READING OF BILLS.

Senate Bill No. 197—An Act to provide for the completion of the ten tiers of granite steps in the State Capitol grounds, located at Sacramento, and to appropriate money therefor.

Read third time.

Senator G. J. Campbell was addressing the Senate when the hour of recess arrived, and Senator Dray moved to have the hour of recess extended until the matter in hand be disposed of.

So ordered.

Roll called, and Senate Bill No. 197 finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Maher, Mahoney, McGowan, Preston, Streeter, Voorhies, and Williams (Geo. H.)—21.

NOES—Messrs. Berry, Goucher, Harp, Mead, Ostrom, Ragsdale, Simpson, Welch, Williams (Wm. H.), and Wilson—10.

Title read and approved.

RECESS.

At twelve o'clock and ten minutes P. M. the Senate took a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)

Quorum present.

RESOLUTION.

By Senator Heacock:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to pay the following bills: John Breuner, for one iron fence and two hat-racks, twenty-three dollars; and bill of C. H. Rose, for locks, keys, and services rendered, fifty-five dollars and seventy-five cents; and the Controller is hereby directed to draw his warrant for the same, payable out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

STATEMENT AND RESOLUTION.

By Senator Heacock:

SAN FRANCISCO, January 26, 1891.

State of California: By E. G. Waite, Secretary of State, to Bancroft-Whitney Co., Dr.

To one set of pocket Codes and Constitutions $11 50

Received of E. G. Waite, Secretary of State, one set of pocket Codes and Constitutions, as per above.

J. B. REDDICK, Lieutenant-Governor.

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of E. G. Waite, Secretary of State, in the sum of eleven dollars and fifty cents, out of the Contingent Fund of the Senate, in payment of the above bill, and the State Treasurer is directed to pay the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

RESOLUTION.

By Senator Goucher:

Resolved by the Senate, That the sum of seventy-five dollars is hereby appropriated out of the Contingent Fund of the Senate, payable to the Chairman of the Senate Committee on Inaugural Ceremonies, for the purpose of paying the Senate's share of the unpaid expenses of the inaugural ceremonies, and the Controller of State is hereby directed to draw his warrant accordingly.

Adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, Maher, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.

NOES—None.

FIRST READING OF BILLS.

Senate Bill No. 128—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes.

Read first time.

SENATE CONSTITUTIONAL AMENDMENT No. 10.

An Act to submit to the people of the State of California an amendment to section two (2), article four (4), of the Constitution of the State of California.

The Legislature of the State of California, at its twenty-ninth session, commencing on the fifth day of January, A. D. eighteen hundred and ninety-one, two thirds of all the members elected in each House of said Legislature voting in favor thereof, hereby propose that section two (2), of article four (4) (Legislative Department), of the Constitution of the State of California, be amended so as to read as follows:

ARTICLE IV.

SECTION 2. The sessions of the Legislature shall commence at twelve o'clock M., on the first Monday after the first day of January next succeeding the election of its members, and shall be biennial, unless the Governor shall, in the interim, convene the Legislature by proclamation. No pay shall be allowed to members for a longer period than one hundred days, and no bill shall be introduced in either House after the expiration of sixty days from the commencement of each session, without the consent of two thirds of the members thereof.

Roll called, and Constitutional Amendment No. 10 passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Langford, Maher, Mahoney, Mead, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—33.

NOES—Mr. Heacock—1.

FIRST READING OF BILLS—(RESUMED).

Senate Bill No. 215—An Act to authorize the Board of Fish Commissioners of this State to purchase the land on which the State Fish Hatcheries at Sisson and Lake Tahoe are now situated, and appropriating money therefor.

Read first time.

Senate Bill No. 6—An Act in relation to reassessments of property and the equalization of the same in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment.

Read first time.

On motion of Senator Heacock, Senate Bills Nos. 67 and 70 were passed until printed, and the same to retain their place on the file.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 76—An Act to amend section one thousand one hundred and eighty-one of the Civil Code of the State of California, as amended April 3, 1880, relating to the proof and acknowledgment of instruments.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, Langford, Maher, Mead, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—32.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, January 27, 1891.

MR. PRESIDENT: Your Committee on Engrossment beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 154—An Act authorizing school districts, cities, cities and counties, or incorporated towns in the State of California, to furnish the pupils of their respective public schools with free use of school text-books.

Also: Senate Bill No. 196—An Act to provide for the removal of the old wooden fence, sidewalks, and curb from the State Capitol grounds, located at Sacramento, and have

constructed in their stead a granite post and chain fence, a concrete sidewalk, and granite curb, and to appropriate money therefor.

Also: Senate Constitutional Amendment No. 10—An Act to submit to the people of the State of California an amendment to section two (2), article four (4) of the Constitution of the State of California.

RAGSDALE, Chairman.

THIRD READING OF BILLS—(RESUMED).

On motion of Senator Maher, Senate Bill No. 82 was temporarily passed on the file until the Engrossing Clerk corrects a clerical error.

Senate Bill No. 41—An Act to amend section four thousand one hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the deposit of public funds.

Read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Heacock, Langford, Maher, Mahoney, Mead, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Welch, Williams (Geo. H.), and Wilson—26.

NOES—Messrs. Bailey, Campbell of Solano, Crandall, Fraser, Goucher, and Harp—6.

Title read and approved.

Senate Bill No. 148—An Act to provide for the construction and furnishing of a kitchen and dining-room at the Napa State Asylum for the Insane, and making an appropriation therefor.

Read third time, and the Senate refused to finally pass the bill by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Heacock, Maher, Mahoney, Seawell, Shippee, Streeter, Welch, and Williams (Geo. H.)—19.

NOES—Messrs. Bailey, Berry, Campbell of Solano, Goucher, Harp, McGowan, Mead, Ostrom, Ragsdale, Simpson, Voorhies, and Wilson—12.

Senator Maher moved that Senate Bill No. 82 be now taken up.

So ordered.

Senate Bill No. 82—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-six, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five and one half of said Political Code.

Read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Maher, Mahoney, McGowan, Mead, Ragsdale, Shippee, Simpson, Voorhies, Welch, Williams (Geo. H.), and Wilson—24.

NOES—Messrs. Bailey, Berry, Campbell of Solano, Crandall, Harp, Heacock, Langford, Seawell, and Streeter—9.

Title read and approved.

COMMUNICATION FROM THE STATE PRINTER.

OFFICE OF SUPERINTENDENT OF STATE PRINTING,
SACRAMENTO, January 27, 1891.

To the President of the Senate:

Complying with the request of the Senate, embodied in its resolution of the twenty-third instant, I beg to say that no actual deficiency exists at this date in the appropriation for the support of the State Printing Office; but owing to the inadequacy of the appropriation made by the Legislature for the support of said office during the forty-first and forty-second fiscal years, a deficiency will occur for the forty-second fiscal year which, as nearly as can be estimated, will amount to seventy-five thousand dollars.

Respectfully submitted.

A. J. JOHNSTON,
Superintendent of State Printing.

Referred to Committee on Finance.

Senator Bailey gave notice that he would move a reconsideration of the vote whereby Senate Bill No. 148 was refused final passage.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 113—An Act to authorize the establishment of County High Schools, and provide for their support.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Goucher, Harp, Hecock, Maher, Mahoney, McGowan, Mead, Ragsdale, Seawell, Simpson, Streeter, Voorhies, Welch, and Williams (Geo. H.)—26.

NOES—Messrs. Berry, Langford, Ostrom, and Wilson—4.

Title read and approved.

Senate Bill No. 84—An Act to regulate the practice of pharmacy and sale of poisons in the State of California.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Goucher, Harp, Heacock, Langford, Maher, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Williams (Geo. H.), and Wilson—29.

NOES—None.

Title read and approved.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Everett: Senate Bill No. 467—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

Referred to Committee on Judiciary.

By Senator McGowan: Substitute for Senate Bill No. 169—An Act to create a Board of State Harbor Commissioners for Humboldt Bay, to provide for the appointment of such Commissioners, to form and create a fund to be known as the Humboldt Bay Improvement Fund, and to appropriate the sum of twenty thousand dollars therefor.

Senator McGowan moved that his substitute bill for Senate Bill No. 169 be accepted.

So ordered.

On motion of Senator McGowan, substitute for Senate Bill No. 169 was ordered printed.

W. A. Chamberlain.
M. Sleeper, Supervisor.
A. E. Schwatka, ex-Supervisor.
G. H. Peters.
Charles Le Beau, Supt. Siskiyou Hospital.
James F. Farraher, attorney at law.
Eugene Dowling, merchant.
Chas. Voss.
W. P. Wright.
C. Visout.
E. N. Derby.
Simon Curtain.
J. S. Cleland, merchant.
A. E. Paine, jeweler.
Dr. H. D. Robertson.
John Miller.
R. H. DeWitt, grocer.
L. F. Coburn, attorney at law.
John Kennedy, County Superintendent.
W. M. Thomas, attorney at law.
W. S. Stone, stage superintendent.
A. Hawkins.
J. B. Cann, proprietor Clarendon Hotel.
Alex. Montgomery, pub. "Yreka Union."

Also:

To the honorable the Senate and Assembly of the State of California:

The petition of the citizens of the county of Trinity, State of California, respectfully shows:

That the county of Trinity was organized as a county at the first session of the Legislature of this State, and at the time of its organization included within its boundaries all the territory embraced within the counties of Del Norte and Humboldt.

That by subsequent Acts of the Legislature, the counties of Humboldt and Del Norte were created, leaving the county of Trinity with its present boundaries.

That the county of Trinity, as at present bounded, has mining for its paramount industry; that the county is in the main composed of the territory drained by its principal river, the Trinity, and its branches. That the main stream pursues a course of more than one hundred miles before it passes out of the county, and that its entire course runs through gold-bearing lands, and that large numbers of people find employment in working the benches and hills adjacent to said Trinity River.

That nearly all of the tributaries of Trinity River also flow through gold-bearing lands, and mining operations are carried on in all such places, affording remunerative employment to many people, and making places habitable which would not be habitable were it not for the employment furnished by our mines.

That with the exception of a small portion of the county lying along the line of Mendocino County, our every industry is subordinate to and dependent upon the successful prosecution of gold mining.

That gold mining has been the paramount industry of Trinity County for more than forty years, and during that time many millions of dollars have been realized from working our mines, and the income from this source at this time amounts to more than one million five hundred thousand dollars annually.

That during all these years no injury has been done to farmers or others living at or near the Trinity River, or the Klamath River, after the Trinity empties into that stream.

That very few claims now worked, or to be worked, deposit or will deposit their debris into the bed of the Trinity River, but deposit in the first instance upon worked-out mining ground, whence only the lighter particles are carried into the rivers. And your petitioners further show that the volume of water in the Klamath River is so large, and the fall of that stream so great, that all debris reaching the Klamath is carried out into the ocean.

That on the third day of April, 1880, an Act declaring the Klamath River navigable from its mouth to the town of Orleans Bar was approved by the Governor of the State of California, and said Act is yet a law. That although said Klamath River has been declared navigable by law, it is not navigable in fact, nor has its navigability been destroyed, or in any manner impaired by reason of placer mining on said Klamath or said Trinity Rivers, and their branches, and that said Klamath River never was navigable in fact.

Your petitioners further show that the gold deposits of this county are now mainly situate upon high branches of streams or in the mountains, and to work such deposits successfully requires water to be brought from long distances and at great expense. That capital is timid, and will not assist in developing our mines for the reason that said Act of April 3, 1880, is upon the statutes of this State, and is a menace to our mining interests.

Wherefore, your petitioners pray that the bill now before the Legislature of California, repealing said Act of April 3, 1880, be passed, and said useless Act repealed.

And your petitioners will ever pray.

H. Junkans.
E. W. José.
W. F. Junkans.
S. R. Turner.
Peter Miller.
John Bergir.
Phil. Sheridan.
M. W. Pusonette.
Owen Fox.
P. M. Paulsen.
O. F. Davis.
Robert Cochran.
W. H. La Baree.
Fred Zarli.
S. M. Gibson.
Wm. Condon.
Nelson Brouder.
John Laineger.
Frank Portillo.
M. A. Brady.

E. G. Loveridge:
Lorenzo Martin.
Johan H. Smith.
Patrick Campbell.
R. Sillcox.
H. C. Ingram.
M. R. Newman.
L. H. F. Newman.
L. Timmerman.
C. W. Smith.
S. Karsky.
M. Abrahm.
D. Hansen.
D. P. Davis.
W. J. Lowden.
E. S. Flagg.
A. J. Costa.
Antonio F. Cosco.
T. McDonogh.
Z. T. Weyand.
W. H. Clement.
Jas. Maddrell.
Jas. Morris.
M. Cahalan.
Geo. W. Blackwell.
E. H. Goering.
J. A. Todd.
C. Reuisch.
E. P. Hampton.
Henry Dix.
Joe Caton.
W. I. Hupp.
R. D. Armstrong.
D. H. Tighe.
W. D. Everhart.
C. Thomas.
W. I. Hupp.
S. Beavers.
E. Cornell.
C. L. Cass.
W. S. Sowden.
John Ralls.
D. L. Day.
James Howe.
N. B. Shurtleff.
Chas. Cleaver.
H. B. Van Cleave.
Tom Foley.
D. Wordley.
A. Cochell.
P. G. Dockery.
W. H. Lee.
T. E. Jones.
S. O. Todd.
J. R. Balch.
W. W. Young.
Jacob Senger.
Geo. L. Smith.
T. Woodbury.
B. Crowl.
J. O. Browder.
A. Whitebread.
J. N. McDonald.
A. S. Huson.
A. T. Jackson.
W. J. Leavitt.
M. W. Dockery.
Chas. E. Stiller.
J. C. Montague.
J. Pincus.
W. M. Lowden.
Geo. E. Noonan.
J. Bennett.
T. F. Koenig.
W. Nieman.
S. D. Blake.
Wm. H. Mathews.
H. C. Osgood.
S. J. Hensley.
W. S. Jackson.
J. W. Philbrook.
D. W. Rees.
E. W. Dockery.
M. F. Osgood.
A. Osgood.
B. T. Crawford.
W. T. Dannenbrink.
Geo. L. Bailey.
A. G. Flowers.
Thos. Perkins.
Dan Kitchen.
Jas. Brannan.
Thomas Bergin.
Jas. J. Cochran.
Edward Dockery.
Jo Arguillo.
Thos. Garrity.
P. W. Stiller.

Also:

To the honorable members of the Senate and Assembly of the State of California:

We, the undersigned, residents of Shasta County, most respectfully request that you assist in passing Senate Bill No. 12, repealing the Act declaring the Klamath River navigable. We believe that the present law is detrimental to the best interests of the people of the northern portion of this State:

C. C. Bush, Redding.
Aaron Bell, Redding.
T. J. Baker, Redding.
Thomas Cummings, Redding.
P. O. Davis, Redding.
R. H. Booth, Redding.
John Bamber, Redding.
L. Hotaling, Redding.
John McCuish, Redding.
A. J. Wallace, Redding.
J. W. Brackett, Redding.
H. R. Hudson, Secretary Republican County Central Committee of Shasta County.
L. S. Barnes, Editor "Shasta County Democrat."
W. A. Boswell.
W. Murray.
L. D. Nevil.
M. Wiseman.
J. M. Salneive.
F. P. Primm.
R. O. Carmer.
I. M. Haus.
James Robinson.
Jacob M. Hudson.
Geo. A. Mastin.
James E. Isaacs, lawyer.
W. H. Bickford.
James Bowie, Sheriff of Trinity.
J. C. Franklin.
James Cligh.
C. W. Osborne.
Frank Hanscom.
S. A. J. Eckels.

A. Lebring.
W. H. Rhodes.
George Rupert.
John Holubar.
D. F. Weed.
W. R. Conant.
J. W. Conant.
Peter Wheeling.
L. A. Hall.
H. C. Ward.
George W. Fowler.
F. B. Simonds, Jr.
Joseph G. Bamber.
S. A. Stewart.
W. C. Welch.
W. L. Williamson.
D. Schlesinger.
C. P. Dunham.
M. F. Eldridge.
I. H. Bailey.
William E. Hopping.
J. B. McTimmonds.
Frank Drew.
A. F. Ross.
A. M. Irwin.
T. B. Smith.
Samuel Simon.
E. Firth.
L. H. Alexander.
W. D. Nunamaker.
F. J. Houston.
J. W. Gardner.
C. L. Noble.
C. H. Hart.
C. L. Keeney.
John R. Lowden.
Joseph Leithner.
Geo. Lechrist.
W. L. Smith.
Rud. M. Saltzer.
John McHare.
Chas. G. George.
W. S. Bugbee.
Wm. Fatch.
F. S. Hammond.
F. D. Wallace.
N. E. Welch.
Henry Clayton.
J. M. Estis.
J. R. Flake.
C. R. Noling.
Will J. McCarthy.
G. W. Davis.
John Anderson.
S. Weil.
Chas. Weil.
S. J. R. Gilbert.
James Vaughn.
J. Kahny.
Wm. P. Hartman.
Geo. H. Haskell.
Charles G. Morris.
Barth. Signorotty.
Leysold Reynaud.
Jas. F. Hertier.
O. Griffin.
H. S. Rusk.
Geo. C. Jones.
Jeter Johnson.
L. E. Davis.
I. Atwood.
G. W. Archibald.
Geo. Smith.
James T. Hill.
J. T. Schilling.
Wm. P. Miller.
Geo. Fox.
Edward Sweeney.
Fred. Grotefend.
Henry Kern.
F. N. Fuller.
H. L. Robb.
Peter Hoff.

Also:

To the honorable Senate and Assembly assembled:

At a meeting of the citizens of Henley, Hornbrook, and Klamath City, held at Henley on the twenty-second instant, the following preamble and resolutions were unanimously adopted:

WHEREAS, As the mining industry of Siskiyou is paramount to all others; and whereas, it has been determined beyond peradventure that ancient or dead channels traverse our county, which, if not strangled in its infancy, and allowed to grow to full manhood, will add hundreds of millions of dollars to our national wealth; and whereas, the navigability of the Klamath River as standing upon the statutes, which, in the true sense of the word, is not and never can be a navigable stream, but which stands a menace to the very vitals of not only the commonwealth of the Klamath, but all of its tributaries; therefore, be it

Resolved, That it is the unanimous voice of the people of this county that Senate Bill No. 12 be passed, and in asking this earnest and solicitious favor from the honorable members of the Legislature, we but voice the sentiments of our Chief Executive, as expressed in his inaugural, and also the sentiments of the decided majority that elected him.

Resolved, That we extend our heartfelt thanks to Assemblymen Robertson and Shanahan, for their zeal manifested in the passage of said bill in the Assembly.

Resolved, That a copy of these resolutions be forwarded to the Hon. R. H. Campbell, trusting that he may be able to convince Senators McGowan, Ostrom, and others opposing said bill, that in this matter their interests are identical with ours, and that opposition to the repeal bill is a direct blow to the most important interests of Northern California.

(Signed:)

C. B. JILLSON, Chairman.
I. N. MATTICK, Secretary.

Senator Campbell requested that the petitions presented by himself be printed in the Journal.

There being no objection, it was so ordered.

By Senator Maher:

To the Senate and Assembly of the State of California:

We, the undersigned, farmers and citizens of the State of California, do petition and pray your honorable bodies now in session at Sacramento, Cal.; that

WHEREAS, The revival of the question of ramie culture is being brought forward by prominent parties in San Francisco; that they have demonstrated that the experimental stage has passed; and that now, we in California are the first to show that ramie can be grown and worked successfully in the United States.

We desire to call your attention to this important fact, and pray that the bill presented to your honorable bodies, on ramie culture, will be considered by you.

All fiber culture should be fostered, and diversified farming should be encouraged in this State to its fullest extent. Wine, vine, and other interests having received aid, it is eminently proper that attention and assistance should be extended to fiber culture, and your petitioners will respectfully ever pray.

PETITIONERS.

Hon. George H. Sanderson, Mayor of San Francisco.
Hon. E. B. Pond, ex-Mayor of San Francisco
Hon. Geo. C. Perkins, ex-Governor of California, also President of San Francisco Chamber of Commerce.
Mr. John Center, California Cotton Mills, also Center's Flax and Ramie Mill.
California Jute Co., Louis G. Lissak, Sec.
Emory E. Smith, editor "California Fruit Grower."
Mr. Adam Grant, of Murphy, Grant & Co.
Mr. Claus Spreckels, Cal. Sugar Refinery.
Gen. W. H. Dimond, Supt. U. S. Mint.
Benicia Agricultural Works, by L. L. Baker.
Hon. N. W. Spaulding, Pacific Saw Works.
Mr. Abner Doble, manufacturer.
Mr. W. B. Ewer, "Pacific Rural Press."
Neville & Co., bag manufacturers.
Ames & Detrick, bag manufacturers.
S. Koshland & Co., bags and bagging.
Mr. Wm. Lichtenberg, fiber broker.
Mr. R. C. Gallego, bag broker.
Macondray & Co., importers.
Starr & Co., flour merchants.
San José Fruit Packing Co.
Merry, Faull & Co., pork packers.
Mr. Ed. Kruse, ex-Pres. of Pioneer Hall.
Standard Soap Co.
Napa Valley Wine Co.
Trueman & Hooker, agricult'l implements.
Fairbanks & Hutchinson, scale merchants.
Mr. J. Wm. Lucas, plaster mills.
Mr. J. M. Moore, Farmers' Alliance.
Mr. J. W. Hines, Treas. Farmers' Alliance.
Mr. W. H. Murray, Sec'y "Journal of Commerce."
Mr. A. T. Dewey, Sec'y State Grange.
Mr. Geo. H. Strong, patent agent.
Mr. Chas. G. Yale, editor "Scientific and Mining Press."

Senator Maher requested that the petition presented by himself be printed in the Journal.

There being no objection, it was so ordered.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 27, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 101—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure, relating to witnesses.

Also: Senate Bill No. 199—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

Also: Senate Bill No. 201—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand five hundred and ninety-two, relating to mortgages by executors of real property belonging to the estates of decedents.

Also: Senate Bill No. 218—An Act to amend section one thousand four hundred and sixty-eight of the Penal Code, relating to the filing and settlement of statements on appeal from Justices' or Police Courts.

Also: Senate Bill No. 224—An Act to amend sections fifty-eight and seven hundred and ninety-two of the Political Code, so as to authorize the appointment of women as Notaries Public.

Also: Senate Bill No. 225—An Act to amend an Act entitled "An Act for the protection of preëmption and homestead claimants," approved March 23, 1874.

Also: Senate Bill No. 242—An Act to amend section three hundred and seventy-eight of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of the public health and safety, and registration of births, deaths, and marriages.

Also: Senate Bill No. 324—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Also: Senate Bill No. 355—An Act to amend section two thousand and thirty-one of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to the taking of depositions.

Also: Senate Bill No. 356—An Act to amend section nine hundred and thirty-nine of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to appeals.

Also: Senate Bill No. 357—An Act to amend section twenty of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, known as the Insolvent Act of 1880.

Also: Senate Bill No. 384—An Act to increase the number of Judges of the Superior Court of the county of Tulare, and to provide for the appointment of an additional Judge.

Respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 182—An Act to amend section four hundred of the Civil Code of the State of California.

Also: Senate Bill No. 231—An Act to amend section six hundred and forty-seven of the Penal Code, relating to vagrants.

Also: Senate Bill No. 296—An Act to add a new section to the Political Code, to be known as section seven hundred and ninety-three, relating to qualifications of Notaries Public.

Also: Senate Bill No. 378—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section two thousand five hundred and eighty-seven, relating to policies of insurance.

Respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 159—An Act to amend section one thousand nine hundred and eighteen of the Civil Code, relating to interest.

Also: Senate Bill No. 270—An Act to amend section one thousand two hundred and forty-six of the Penal Code, relating to the cost of appeals in criminal cases.

Also: Senate Bill No. 292—An Act to add a new section to the Penal Code, to be known as section five hundred and thirty-eight, relating to defrauding proprietors and managers of livery, feed, and sale stables.

Respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 94—An Act to add a new section to the Civil Code, to be known as section three hundred and twenty-eight, to enforce the provisions of section three of article twelve of the Constitution.

Also: Senate Bill No. 122—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the obligations of coterminous owners and others claiming interests or rights in land, and providing for the construction and maintenance of division fences.

Also: Senate Bill No. 146—An Act to amend section one thousand four hundred and one of the Civil Code, relating to the disposition of community property on the death of the husband or wife, and to repeal section one thousand four hundred and two of said Code.

Also: Senate Bill No. 181—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as section eight hundred and eleven thereof.

Also: Senate Bill No. 183—An Act to amend section eight hundred and nine of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 184—An Act to amend section two hundred and ninety-two of the Civil Code of the State of California.

Also: Senate Bill No. 185—An Act to amend section five hundred and sixty-five of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 188—An Act to amend section six hundred and sixteen of the Political Code, relating to insurance companies.

Also: Senate Bill No. 189—An Act for the better protection of the stockholders in corporations doing business in the State of California, formed for any purpose whatsoever.

Respectfully report the same back without recommendation.

Also: Senate Bill No. 265—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies—respectfully report the same back, and recommend that it be referred to the Committee on Corporations.

Also: Senate Constitutional Amendment No. 4—Constitutional amendment, relative to incurring of indebtedness or liability of county, city, town, township, Board of Education, or school district.

Also: Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article seven thereof, relative to the pardoning power.

Respectfully report the same back, and recommend that they be adopted.

SPRAGUE, Chairman.

ON HARBORS, RIVERS, AND COAST DEFENSES.

SENATE CHAMBER, SACRAMENTO, January 27, 1891.

MR. PRESIDENT: Your Committee on Harbors, Rivers, and Coast Defenses, to whom was referred Senate Joint Resolution No. 7—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRODERICK, Chairman.

ON CLAIMS.

MR. PRESIDENT: Your Committee on Claims beg leave to make the following report:

First—They have considered Senate Bill No. 145—An Act for the relief of Cornelius Lynch, while in the service of the State—and report the same back with an amendment, and recommend the passage of the bill as amended.

Second—Also: Senate Bill No. 363, being a duplicate of Senate Bill No. 170—is hereby reported back with the recommendation that it be indefinitely postponed.

Third—Also: Senate Bill No. 170—An Act making an appropriation to pay the claim of Charles F. Reed, C. E. Grunsky, and J. J. Crawford, for expenses incurred as members of the Examining Commission on Rivers and Harbors—and report the same back with an amendment, and recommend the passage of the bill as amended.

Fourth—Also: Senate Bill No. 335—An Act to appropriate money to pay the claim of Wm. Gutenberger for loss of tools and property destroyed at the Branch State Prison at Folsom—and recommend that the bill do pass.

Fifth—Also: They report back Senate Bill No. 293—An Act for the relief of John J. Conlin—without consideration as to its merits, and recommend that said bill be rereferred to the San Francisco delegation for their consideration.

Sixth—Also: Senate Bill No. 55—An Act to appropriate money to pay the claim of Enoch N. Strout for services rendered as Reclamation Fund Commissioner, under an Act to provide for the indebtedness of the reclamation and levee districts of this State, approved March 30, 1872—without recommendation.

Seventh—Also: Senate Bill No. 250—An Act making an appropriation to pay the claim of J. Hardy—and recommend its passage.

Eighth—Also: Senate Bill No. 52—An Act to provide compensation to G. B. Montgomery for professional services rendered the State of California at the request of the Attorney-General—with an amendment, and recommended its passage as amended.

HEACOCK, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 27, 1891.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 39—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 213—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties.

Also: Senate Bill No. 329—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Also: Senate Bill No. 171—An Act to amend subdivision twenty-three of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, and March 17, 1887, and March 16, 1889, which subdivision provides for advertising for bids for stationery for the use of the county and its officers, and provides the method of procuring blank books, job printing, and other supplies necessary for the use of the county and its officers.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 73—An Act to amend section four thousand three hundred and seventy-one of the Political Code of the State of California, relative to taxation for municipal purposes.

Also: Senate Bill No. 239—An Act to amend section three thousand and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Boards of Health.

Also: Senate Bill No. 298—An Act to provide for changes of the custody of property and the control of estates upon changes in the office of Public Administrator.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 153—An Act to provide fire escapes in hotels—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by your committee.

DARGIE, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 28, 1891.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Joint Resolution No. 5—Requesting Congress to enact a law limiting or prohibiting foreign immigration—have had the same under consideration, and respectfully report the same back, and recommend that it be referred back to the Committee on Federal Relations and Immigration.

Also: Senate Bill No. 263—An Act to provide for the painting of portraits of R. W. Waterman and H. H. Markham, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 282—An Act to provide for the appointment of a Board of Sutter's Fort Trustees, and for the acquisition of the Sutter Fort property, and providing for an appropriation for the preservation, protection, and improvement of said property—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 295—An Act to provide for the purchase of a portrait of ex-Governor Waterman by the State Board of Examiners, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 306—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the laws for the preservation of fish, for the forty-second fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 316—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Engineer, for fortieth, forty-first, and forty-second fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bills Nos. 303, 304, 305, 307, 308, 310, 311, 312, 313, 314, 315, 317, 318, 319, 320, 321, 322, and 323—These bills are all deficiency bills, and have been certified by the Board of Examiners to be correct—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

DE LONG, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, January 28, 1891.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 97—An Act to add a new section to the Penal Code, to be known and numbered as section three hundred and nineteen, relating to the renting of property for immoral purposes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 376—An Act to amend section one thousand five hundred and ninety-three of Political Code, relative to time of election for School Trustees—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

Also: Senate Bill No. 326—An Act to amend an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of State series of school text-books, and appropriating money therefor," approved March 15, 1887—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DENISON, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Mahoney: Senate Bill No. 468—An Act to amend section fifty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to powers in appealed cases.

Referred to Committee on Judiciary.

By Senator Dargie: Senate Bill No. 469—An Act to amend sections two, three, four, five, seven, nine, thirteen, twenty-four, twenty-six, thirty-four, thirty-five, and thirty-seven of "An Act to provide for work

upon streets, lanes, alleys, courts, places, and sidewalks, and the construction of sewers within municipalities," approved March 18, 1885, relative to the mode of assessing and otherwise providing for said work.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 470—An Act to amend an Act entitled "An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a Board of Directors for the government thereof, and appropriating the sum of sixty-five thousand dollars for the support of said Home," approved March 17, 1887.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 471—An Act expressing assent of the State of California to the Act of Congress approved August 30, 1890, entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an Act of Congress approved July 2, 1862," and to the purposes of the grants of moneys authorized thereby, and to all the provisions thereof.

Referred to Committee on Federal Relations and Immigration.

By Senator Carpenter: Senate Bill No. 472—An Act for the protection of policy holders in fire insurance companies.

Referred to Committee on Corporations.

By Senator Maher: Senate Bill No. 473—An Act to amend section thirty-five of "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and the construction of sewers within municipalities," approved March 18, 1885, and also section three of an Act amendatory thereof, approved March 14, 1889.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 474—An Act for the relief of Michael Maloney.

Referred to Committee on Claims.

By Senator Wilson: Senate Bill No. 475—An Act to add a new section to the Penal Code, to be known and numbered section six hundred and fifty-five, relating to dealing in options.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Carpenter: Senate Bill No. 476—An Act to amend section four thousand one hundred and two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the age, citizenship, and residence of district and township officers, and their deputies.

Referred to Committee on Judiciary

By Senator Denison: Senate Bill No. 477—An Act to provide for the formation, organization, and government of sanitary districts, and to provide for the laying and maintaining of sewers therein, the issuing of bonds therefor, and the levying and collection of taxes therein.

Referred to Committee on Counties, County Government, and Township Organization.

Also: Senate Bill No. 478—An Act making an appropriation to pay the Assistant Journal Clerks of the Senate (twenty-sixth session of the Legislature) for compiling the Journal of the Senate.

Referred to Committee on Claims.

By Senator Voorhies: Senate Bill No. 479—An Act to provide for the establishment of High Schools in the State of California.

Referred to Committee on Education and Public Morals.

By Senator Maher: Senate Bill No. 480—An Act to amend section one thousand three hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a married woman as administratrix of an estate of a deceased person.

Referred to Committee on Judiciary.

MOTIONS.

Senator Bailey moved the reconsideration of the vote whereby Senate Bill No. 148 was refused passage yesterday.

On motion of Senator De Long, the hour of recess was continued until the matter in hand be disposed of.

Senator De Long subsequently moved that further consideration of the bill be taken up immediately after recess.

So ordered.

Senator Carpenter moved that the rules be suspended, and that when the Senate adjourn to-day it adjourn at three o'clock and thirty minutes P. M.

So ordered.

RECESS.

At twelve o'clock and twenty minutes P. M. the President declared a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

President J. B. Reddick in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Denison, Dray, Flint, Goucher, Hamill, Harp, Heacock, Langford, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

MOTION.

On motion of Senator Voorhies, the matter before the Senate was temporarily passed until the arrival of Senator De Long.

SECOND READING OF BILLS.

Senator Ragsdale moved that Senate Bill No. 128 be passed on the file for three days, and that it retain its place on the file.

So ordered.

Senator Goucher moved that Senate Bill No. 215 be passed temporarily, and that it retain its place on the file.

So ordered.

Senate Bill No. 6—An Act in relation to reassessments of property and the equalization of the same in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment.

Bill read second time, ordered engrossed and on file for third reading.

THIRD READING OF BILLS.

Senate Bill No. 67—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, concerning the right of eminent domain.

Bill read third time, and finally passed by the following vote:

Ayes—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Crandall, De Long, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—30.

Noes—None.

Title read and approved.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Senator G. H. Williams: Senate Bill No. 481—An Act for the relief of George Dougherty.

Referred to Committee on Claims.

CONSIDERATION OF SENATE BILL No. 148.

Further consideration of Senate Bill No. 148 was then taken up.

Roll called, and the motion for a reconsideration of the vote whereby Senate Bill No. 148 was refused final passage was adopted by the following vote:

Ayes—Messrs. Bailey, Banks, Britt, Byrnes, Crandall, De Long, Denison, Dray, Everett, Fraser, Hamill, Heacock, Langford, Maher, McComas, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—23.

Noes—Messrs. Campbell of Solano, Carpenter, Goucher, Ostrom, and Wilson—5.

MOTION.

Senator De Long moved that further consideration of the bill be temporarily passed, and that it retain its place on the file.

So ordered.

QUESTION OF PRIVILEGE.

Senator Carpenter arose to a question of privilege, and asked that the Secretary read certain extracts from an evening newspaper.

There being no objection, it was so ordered.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 70—An Act to add a new section to the Penal Code of the State of California, to be numbered section eight hundred and thirty, relative to the service of warrants of arrest and other process in criminal cases.

Bill read third time, and finally passed by the following vote:

Ayes—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Langford, McComas, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.

Noes—Messrs. Campbell of Solano, De Long, Flint, McGowan, Mead, and Voorhies—6.

Title read and approved.

Senate Bill No. 154—An Act authorizing school districts, cities, cities and counties, or incorporated towns in the State of California, to furnish the pupils of their respective public schools with free use of school text-books.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—36.

NOES—None.

Title read and approved.

President pro tem. Fraser in the chair.

SPECIAL ORDER.

The hour for the consideration of Senator Wilson's Joint Resolutions Nos. 8 and 9 having arrived, the Senate proceeded with their consideration.

SENATE JOINT RESOLUTION No. 8.

Joint resolution memorializing Congress to loan money to farmers, and to charge interest therefor at the rate of two per cent per annum.

WHEREAS, It has been the policy of the wisest men of all times and countries to encourage and protect the industry of farming; and whereas, on the prosperity and success of farming depends the welfare of every other American industry and enterprise; and whereas, under the present condition of affairs it is impossible to extend to farming the same protection that is given to other industries by the American system of import duties; and whereas, the circulating medium of the United States is insufficient to supply the demands of commerce and trade; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That the Congress of the United States be and is hereby requested to make the necessary laws whereby any person owning and cultivating lands within the boundaries of the United States can borrow money to the amount of sixty per cent of the value of such lands from the Government of the United States by paying two per cent interest per annum, and mortgaging said lands as security for said loans; and be it further

Resolved, That a copy of this memorial be transmitted by the Governor of the State to each of our Representatives in Congress, and that they be requested to use all honorable endeavors to obtain such laws.

Senator Wilson requested that the Secretary read the following speech of the Hon. Leland Stanford, as his argument on Resolution No. 8, and that it also be printed in the Journal.

There being no objection, it was so ordered.

SPEECH OF HON. LELAND STANFORD, OF CALIFORNIA.

In the United States Senate, on Monday, March 10, 1890, Senator Stanford, of California, submitted the following resolution, which was read:

WHEREAS, There is a stringency in money, and much consequent distress, the energies of the country being depressed, large portions of the farming communities heavily burdened and struggling for relief; and

WHEREAS, The United States Government is alone authorized to make money which shall be a legal tender, whether it be by stamp upon paper, silver, or gold; and

WHEREAS, The value of the three commodities when used as money depends entirely upon the stamp of the Government making it legal tender; and

WHEREAS, It has been found that the money advanced by the Government upon its own bonds to the holders thereof has furnished the best and most acceptable currency, through which to-day in our country most of the exchanges are made; and

WHEREAS, The present stringency is largely due to the retirement of Government bonds which have been so largely the basis of our circulating medium; and

WHEREAS, It is of great consequence to national and individual interests that credit should be established, where merited, as far as is safe and practicable; and

WHEREAS, The Government can do this abundantly, without risk to itself, upon much of the property of the country, as it is now doing upon its own bonds, on which it is paying interest; and

WHEREAS, Loans upon a property basis would furnish all the money needed without cost to the Government, and a fair interest paid by the borrower would give to the Government for the use of its credits in bills a large income; therefore, be it

Resolved, That the Committee on Finance be instructed to inquire what relief may be furnished by the United States Government, and particularly whether loans may not be made by the Government upon mortgages deposited with it upon real estate, independent of improvements, at such rate and to such an amount only as will make the security to the Government perfect, the Government to receive some small rate of interest, from one to two per cent, ample compensation for the use of its credit, and to prevent the undue applications for loans beyond the needs of the country. And the Government, as further restraint and provision against an over issue (if such a thing be possible upon perfect security, where the interest is very slight), shall provide to call in a percentage of its loans from time to time, upon reasonable notice as it may deem necessary, at its own discretion, for the welfare of the nation.

Mr. Stanford then said:

I expect to be absent for a few days, and I should like to have the unanimous consent of the Senate to submit a few remarks to accompany the resolution.

The President pro tempore:

The Senator from California asks unanimous consent to submit observations to accompany the resolution just offered. The Chair hears no objection, and the Senator from California will proceed.

Mr. Stanford:

MR. PRESIDENT: From the earliest civilization there has existed in all countries a need of some commodity that will stand as the representative of values through which exchanges can be made without the commodities themselves being passed from hand to hand.

In process of time, gold and silver came into use for this purpose of equalizing exchange, and to-day, when stamped by responsible Governments, these metals have a value as money far beyond any possible value they might have were they only used in the arts. But it is obvious that their value as legal tender depends as much on the Government stamp as does the paper which is stamped by the Government and made legal tender. Money becomes valuable as it stimulates industry and facilitates the exchange of the products of man's labor. Property itself is valuable according to the uses to which it is applied. Thus, supposing a man's wages were a dollar a day, one hundred dollars would employ one hundred men one day; but could the product of the labor of those hundred men be immediately utilized, the one hundred dollars might give employment to a hundred men every work day in the year.

The Government bond is valuable to the holder on account of the interest it earns. As an energetic factor in the transactions of men it only amounts to the percentage which it draws; but when the bondholder, by depositing it with the Government, receives back ninety per cent in Government bills, ninety per cent of its value becomes energized into an active commodity, giving possible employment to the energies of the country. In like manner, if the farmer were able to borrow from the Government without interest a certain amount of its bills, giving his farm as security therefor, to that extent his land would become an active force, and he would be enabled, while giving employment to the extent of the money loaned him, to improve his farm and increase its value to the full amount of the loan. Thus, the Government loan would be doing a double duty. Now, the activities of this money do not terminate with its expenditure by the farmer; those who have received it in their turn will make use of it as an energizing factor in the forces of life to an indefinite period. As money employs labor it brings to life a continuing force, labor begetting labor as certainly as its fruits are valuable. Another way by which we can appreciate what money actively used may perform in the settlement of balances is to be found in the value of commodities produced and exchanged compared with the amount of money in circulation.

I may here make use of the familiar illustration of a dollar going the round among twenty men, each of whom owed a dollar to his neighbor, paying twenty dollars of debts and returning to the pocket from which it started. This is a small illustration, and would be equally illustrative for a greater number of men and a greater amount of debt.

How far the boundless resources of our country shall be put into activity depends not only upon the active industry of our people, but upon the power necessary to induce that industry, and it should be the fostering care of the Government to see that such industry receives every encouragement.

An abundant supply of money means to individuals of capacity a field for the use of their abilities in prosecuting their various callings of life, and will be particularly valuable to associations of individuals by affording them facilities for obtaining capital for the transaction of every kind of business.

An abundance of money means universal activity, bringing in its train all the blessings that belong to a constantly employed, industrious, intelligent people.

If these proposed loans could be made by the Government without risk, I do not think that there would be any serious obstacle in the way of the accomplishment of the object of this resolution. In my opinion, ample protection would be afforded the Government if it limited its loan to one half or one quarter the assessed value of the property given as security, and upon the appraisement of Government officers especially selected for that duty.

Abundant and cheap money places the power in the hands of the industrious, and enables combination of labor that would produce ample competition and prevent anything like an oppressive monopoly. This, combination has always done when not accompanied by any special privileges. Cheap and abundant money means coöperation of labor to an extent heretofore unknown, and with all its consequent advantages. Its abundant supply and possible activities would be one of the great means of employing labor and controlling and utilizing forces at man's disposal, and would go far towards aiding his intelligence towards realizing his highest destiny.

It seems to me that the great thought of humanity should be how to utilize to advantage the great multitude of toilers, increase their power of production, and elevate their condition. We know that a great improvement is within the provisions of Providence, and in the prosperity of the masses of the people the prosperity of all is assured.

Man is the rightful heir to peace and prosperity, and very much depends upon the intelligence of Governments to represent the associated capacities and interests of the whole. To me, one of the most effective means of placing at man's disposal the force inherent in the value of property is through furnishing a bountiful supply of money based upon unquestioned and secure values.

The resolution was referred to the Committee on Finance for its consideration and report.

I ask the Secretary of the Senate to say to the Senate, also, for me, that the Sacramento Grange, P. of H., at a meeting in their hall in Sacramento, on Saturday, January 24, 1891, passed resolutions indorsing both of my Concurrent Resolutions Nos. 1 and 2.

H. C. WILSON.

At the request of Senator Wilson, the following resolutions were also read by the Secretary, and ordered printed in the Journal:

WHEREAS, Senator H. C. Wilson has introduced concurrent resolutions in the present Legislature memorializing Congress to pass laws to provide for loaning farmers money at two per cent per annum on their lands, and also to provide Government warehouses or sub-treasuries in which farmers may store their non-perishable products, and obtain money on said products at two per cent per annum after having the same fully insured against all losses: Now, therefore, knowing as we do that if such laws could be obtained, in accordance with the National Alliance platform, they would greatly benefit the country and would put a stop to the unjust and nefarious practice of gambling in farm products, much to the injury of both producers and consumers; therefore,

Resolved, By Oak Park Alliance No. 2, that we indorse Senator Wilson's action, and respectfully ask the present Legislature to pass the said resolutions offered by Senator Wilson.

Resolved, That we call upon other Alliances to coöperate with us in this matter, and that the Secretary transmit copies of these resolutions to Senator Wilson, to the President of the Senate, and to the Speaker of the House.

C. D. BROOKE, President.
W. L. WILLIS, Secretary.

AMENDMENTS.

Senator Langford moved to amend by striking out of the resolution, line five, the word "two," immediately after the word "paying," and insert the word "one."

Ayes and noes were demanded by Senators Langford, Ostrom, and Goucher.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Berry, Britt, Crandall, Denison, Goucher, Hamill, Langford, Mahoney, McComas, Mead, Ostrom, Seawell, Shippee, and Williams (Wm. H.)—14.

NOES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Carpenter, Dargie, De Long, Everett, Flint, Fraser, Harp, Heacock, Maher, McGowan, Ragsdale, Simpson, Streeter, Voorhies, Welch, Williams (Geo. H.), and Wilson—22.

During roll call, Senator Preston asked to be excused from voting on the joint resolutions now under consideration.

Granted.

Senator Ragsdale moved to amend the resolution by inserting in line six after the word "further." "provided, that no money shall be loaned to any person owning more than six hundred and forty acres."

Adopted.

On motion of Senator Goucher, the hour for adjournment was extended until the special order was disposed of.

Senator Ostrom moved to amend by inserting immediately after the word "loan." line six, the words, "that no individual, company, or corporation shall be allowed to borrow on said securities a sum greater than five thousand dollars."

Adopted.

Roll called on the adoption of the resolution, as amended, and adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, De Long, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—31.

NOES—Messrs. Campbell of Solano, Crandall, and Dargie—3.

Excused from voting—Senator Preston.

SENATE JOINT RESOLUTION No. 9.

Joint resolution memorializing Congress to loan money to farmers, and to charge interest therefor at the rate of two per cent per annum.

WHEREAS, Certain combinations of speculators, not legitimately engaged in the business of buying and selling grain and other farm products, have so manipulated the market for such products that the law of supply and demand no longer prevails; and whereas, the condition of the farmers is such in every part of the United States that they are, by necessity, compelled to place the whole product of their farms upon the market as soon as harvested, regardless of the condition of the market, thereby often suffering severe loss; and whereas, the placing of almost the entire product of farming on the market at one time has a tendency, and does at other times place the control of such products largely in the hands of speculators and combinations, thereby entailing a heavy burden on the consumers; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That the Congress of the United States be and it is hereby requested to make the necessary laws whereby, upon the petition of one hundred persons owning and cultivating lands in any county of any State or Territory of the United States, the Government of the United States shall establish a sub-treasury and a warehouse in said county, whereupon any person may store in said warehouse such farm products as are not subject to decay, and upon insuring said products against fire or other destruction, may borrow eighty per cent of the market value of said products from the Government of the United States for a period not to exceed one year, upon paying interest therefor, at the rate of two per cent per annum, for such time as said loan remains unpaid, the Government of the United States to hold said products as a pledge until the payment of said loan; *provided*, all such products must be the products of land owned or cultivated by the person storing said products; and be it further

Resolved, That a copy of this memorial be transmitted by the Governor of the State to each of our Representatives in Congress, and that they be requested to use all honorable endeavors to obtain such laws.

Roll called, and Joint Resolution No. 9 was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Denison, Everett, Flint, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Seawell, Voorhies, Welch, Williams (Geo. H.), and Wilson—25.

NOES—Messrs. Campbell of Solano, Crandall, De Long, Fraser, Heacock, and Williams (Wm. H.)—6.

Excused from voting—Senator Preston.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Byrnes: Senate Bill No. 482—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of the county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Referred to Committee on Counties, County Government, and Township Organization.

By Senator Bailey: Senate Bill No. 483—An Act to appropriate money to pay the claim of Bartolo Sepulveda, his executors, administrators, or assigns, for unlawful imprisonment.

Referred to Committee on Claims.

By Senator Preston: Senate Bill No. 484—An Act to provide for the payment to Wm. Carey Jones, out of the moneys heretofore appropriated for the compilation of a State series of school text-books, for his services in compiling the elementary book on Civil Government for the State series of school text-books as provided in the Act approved March 19, 1889, and in accordance with an agreement made with said Jones by C. W. Childs, as a Committee of the State Board of Education, to whom said matter was referred.

Referred to Committee on Education.

NOTICE OF RECONSIDERATION.

Senator Seawell gave notice that on to-morrow he would move to reconsider the vote whereby Senate Bill No. 154 was finally passed.

ADJOURNMENT.

At three o'clock and thirty minutes P. M., the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, January 29, 1891.

Senate met pursuant to adjournment.

President pro tem. Fraser in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by Rev. A. T. Needham.

READING OF THE JOURNAL.

Journal of yesterday read and approved.

COMMUNICATIONS.

The following communication from the Attorney-General was then read:

ATTORNEY-GENERAL'S OFFICE, STATE OF CALIFORNIA,
SACRAMENTO, January 28, 1891.

To the honorable Lieutenant-Governor, and Members of the Senate of the State of California:

GENTLEMEN: I am in receipt of your resolution under date of January 23, 1891, to the effect:

"*Resolved*, That the Attorney-General, the Secretary of State, and the Superintendent of State Printing be and they are requested to report to the Senate the amount of deficiencies existing in their respective departments, and that such reports show the amount of indebtedness already existing, and what portion of such indebtedness was authorized by the State Board of Examiners, and the estimated amount necessary for the maintenance of their said offices for the remainder of this fiscal year."

In accordance with your resolution, I hereby submit the following:

I assumed the duties of this office at twelve o'clock M., January 5, 1891, and, consequently, I am not responsible for any contracts entered into by the Attorney-General in behalf of the State previous to that time.

In addition to the salary, there have heretofore been four acounts in connection with the expenditures in the Attorney-General's office, viz.:

First—For postage, expressage, and contingent expenses:

There was left in this account on January 5, 1891, one hundred and fifty-eight dollars and ninety-two cents. I find, however, that there are several bills incurred by my predecessor remaining unpaid, and chargeable to this account. Out of this fund must come the amounts necessary to pay for such books as the office requires. In this office four volumes of California Reports are missing, also a portion of the Statutes. These should be replaced, together with a new set of Codes. I have been to San Francisco to examine the Attorney-General's office there and find it completely stripped. It will be necessary to have there a set of Codes, Statutes, and California Reports, which will cost in the neighborhood of three hundred dollars.

The present Supreme Court of the State of California has not provided an office for the Attorney-General at its new quarters in San Francisco, for the reason that their appropriation is short. I have made a careful investigation as to the amount necessary to secure quarters for the Attorney-General at San Francisco, in the building where the Supreme Court now sits, and find that no suitable room can be secured for less than forty dollars per month. This room will have to be carpeted and supplied with office furniture. I am therefore of the opinion that the deficiency in this account will be at least seven hundred dollars.

Second—For traveling expenses:

At the time I assumed the duties of the office there was remaining in this fund three hundred and fifty-one dollars and five cents. But on account of the numerous habeas corpus cases, at which the Attorney-General is required to attend, I think this fund will be short at least one hundred and fifty dollars.

Third—For any expense incurred by the Attorney-General in tax suits or other cases in the United States Courts:

This fund is entirely exhausted, and as there is a tax suit coming up for argument in the Supreme Court of the United States some time in March or April, and also four cases in the United States Circuit Court at San Francisco at the coming term, which should be attended to, so at least one thousand dollars should be appropriated for this account.

Fourth—For costs and expenses of suits wherein the State is a party in interest:

There was remaining in this fund, January 5, 1891, six hundred and sixty-one dollars and fifty cents. I find, however, upon investigation, that Stephen M. White, of Los Angeles, has a claim against this account for two hundred and fifty dollars, and John Lord Love, of San Francisco, also makes a claim of two hundred and fifty dollars, which would only leave a balance in this fund of one hundred and sixty-one dollars and fifty cents. I am informed that there are other claims against this account, the amounts of which I am unable to state. This account is, therefore, practically deficient to the amount of seventeen hundred dollars for the fiscal year ending June 30, 1891.

RECAPITULATION.

Postage, expressage, and contingent fund	$700 00
Traveling expense fund	150 00
For expenses incurred in tax suits, United States Courts	1,000 00
Costs and expenses of suits wherein State is a party in interest	1,700 00
Total deficiency	$3,550 00

Respectfully submitted.

WM. H. H. HART,
Attorney-General.

REPORT OF STANDING COMMITTEES.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, January 29, 1891.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 346—An Act to appropriate money for the purchase of lands adjacent to San Quentin for the use of the State Prison—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Recommended by a majority of the committee.

Also: Senate Bill No. 259—Relative to making an appropriation for the completion and maintenance of the Preston School of Industry—have had the same under consideration, and respectfully report the same back, with a substitute therefor, and recommend that the substitute do pass, and that the same be referred to the Committee on Public Buildings other than Prison Buildings.

PRESTON, Chairman.

REPORT OF SELECT COMMITTEE.

SENATE CHAMBER, SACRAMENTO, January 29, 1891.

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 443—An Act for the relief of Peter Connolly, his assigns, or legal representatives—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAHER, Chairman.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, January 29, 1891.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Senate Bill No. 325—An Act to provide for the redemption of property which has been heretofore sold to irrigation districts for delinquent assessments—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 106—An Act to create a State Association of Irrigation Districts, to provide for the creation of a State Board of Irrigation to manage and conduct the affairs of the same, and to define the powers and prescribe the duties of such association, and of such Board, and to appropriate money in support thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 374—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of the water thereby for irrigation purposes," approved March 7, 1887, by amending sections one, two, three, four, eleven, twelve, thirty-five, and forty-two thereof, relating to irrigation districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

R. H. CAMPBELL, Chairman.

ON PUBLIC ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, January 28, 1891.

MR. PRESIDENT: Your Committee on Public Roads and Highways, to whom was referred Senate Bill No. 257—An Act to amend section two thousand six hundred and eighty-six of the Political Code of the State of California, in relation to the contents of the reports of viewers appointed for the purpose of viewing any highway proposed to be altered, laid out, constructed, discontinued, or abandoned—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BAILEY, Chairman.

ON CONSTITUTIONAL AMENDMENTS AND BANKS AND BANKING.

MR. PRESIDENT: Your Committee on Constitutional Amendments and Banks and Banking, to whom was referred Senate Bill No. 373—An Act to amend an Act creating a Board of Bank Commissioners—have had the same under consideration, and recommend that it do pass.

Also: Senate Bill No. 391—An Act to provide for the payment of State warrants lost or destroyed—have had the same under consideration, and report the same back, and recommend that the same do pass as amended.

Also: Senate Bill No. 283—Relating to usury—have had the same under consideration, and recommend that it do not pass.

Also: Senate Constitutional Amendments Nos. 3 and 7—Relating to freedom of speech and poll tax—have had the same under consideration, and report the same back without recommendation.

Also: Senate Constitutional Amendments Nos. 9 and 13—Concerning the jurisdiction of Courts—have had the same under consideration, and report the same back, and recommend that they be referred to the Committee on Judiciary.

CRANDALL, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 28, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage respectfully report the number of miles traveled by each member of the Committee on Charitable and Reformatory Institutions during their visit to the California Hospital for Chronic Insane, at Agnews, located in Santa Clara County, California, as follows:

Senator Banks, whole number of miles, 256	$25 60
Senator Britt, whole number of miles, 256	25 60
Senator G. H. Williams, whole number of miles, 256	25 60
Clerk, Miss Wood, whole number of miles, 256	25 60

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BYRNES, Chairman.

Senator Heacock moved to amend the report by striking out that portion relating to the payment of mileage to the Clerk of committee.

The ayes and noes were demanded by Senators Broderick, Goucher, and Berry.

Roll called, and amendment lost by the following vote:

AYES—Messrs. Berry, Heacock, and Mead—3.

NOES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Carpenter, Dargie, De Long, Dray, Everett, Flint, Fraser, Goucher, Harp, Maher, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H), and Wilson—25.

A vote was then taken on the report of the committee, and the report was adopted.

Also:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to have tables in committee room number fifteen renovated and repaired, the same to be paid out of the fund for contingent expenses, and the Controller is hereby directed to draw his warrant for the same at a cost not exceeding fifteen dollars.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Adopted.

Also:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to pay the following bills: John Brenner, for one iron fence and two hat-racks, twenty-three dollars; and bill of C. H. Rose, for locks, keys, and services rendered, fifty-five dollars and seventy-five cents; and the Controller is hereby directed to draw his warrant for the same, payable out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Adopted.

Also: The following statement and resolution:

SAN FRANCISCO, January 26, 1891.

State of California: By E. G. Waite, Secretary of State, to Bancroft-Whitney Co., Dr.

To one set of pocket Codes and Constitutions $11 50

Received of E. G. Waite, Secretary of State, one set of pocket Codes and Constitutions as per above.

J. B. REDDICK,
Lieutenant-Governor.

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of E. G. Waite, Secretary of State, in the sum of eleven dollars and fifty cents, out of the Contingent Fund of the Senate, in payment of the above bill, and the State Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BYRNES, Chairman.

Adopted.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, January 22, 1891.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 42—AN ACT to amend an Act entitled "An Act to amend section three thousand four hundred and eighty-eight of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, and to make sections three thousand four hundred and forty-six, three thousand four hundred and forty-seven, three thousand four hundred and forty-nine, three thousand four hundred and fifty, three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-seven, three thousand four hundred and fifty-nine, three thousand four hundred and sixty, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-three, three thousand four hundred and sixty-five, three thousand four hundred and sixty-six, three thousand four hundred and sixty-seven, three thousand four hundred and sixty-eight, three thousand four hundred and seventy-one, three thousand four hundred and seventy-two, and three thousand four hundred and seventy-three of said Political Code, relating to the reclamation of certain lands within certain municipalities," approved March 19, 1889—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DRAY, Chairman.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 28, 1891.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 233—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 152—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bills Nos. 223 and 226—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 86—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 284—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARPENTER, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 29, 1891.

To the honorable Senate of the State of California:

I desire to call your attention to the law providing that all officers, Boards of Officers, Commissioners, Trustees, Regents, and Directors required by law to make reports to the Governor or Legislature, and to the provision that the Superintendent of State Printing must print such reports, and fixing the number of each to be printed.

It is a well known fact that many of these reports are more voluminous than necessity demands, and are printed at great expense to the State. This is done without regard to the value of the contents to the public. There is no official or board of officials that has

authority to determine what is proper matter for printing, or whether the report is sufficiently meritorious to deserve printing at all.

Under the law as at present, the State Printer has no discretion in regard to the number or size of the reports he is required to print, or the order in which they should be printed. On this account it is simply impossible for that official, or any other, to make an accurate estimate of the amount required for the conduct of his office. In my opinion a very large amount of money is thus expended every year which does not bring an adequate return to the taxpayers. From the information I can obtain, the practice that prevails in our public offices in this respect has been a source of unnecessary expense, and I think there should be some check placed upon the matter, that the abuses so prevalent and so well known to each of you may be corrected. I therefore recommend that the law be so amended that the reports, when submitted to the Governor, be by him referred to some competent authority who shall have power to determine what is proper to print, the size and number of each report, the style of binding, and the limit of expense generally that the State Printer shall be bound to observe in the printing of reports.

I am informed that it has been the habit of the officials of many of our public institutions to order a very large amount of printed material of various kinds, some of which has afterwards been sold and large amounts wasted. Instances of this kind are not rare, and various subterfuges are resorted to in order to bring the demand for printing within the provisions of the law or the rules of the office. Parties who are familiar with the practical workings of the State Printing Office, and upon whose judgment we can rely, have estimated that a saving of from thirty to fifty thousand dollars can be made annually.

I therefore recommend that all requisitions upon the State Printer from any institution or official be first approved by some authority designated by you.

H. H. MARKHAM, Governor.

MOTION.

Senator Goucher moved that the Committee on Printing be instructed to inquire and report to the Senate with reference to the matter suggested in the Governor's message just read.

Senator Heacock moved to amend, that the committee be also requested to report a bill in harmony with the Governor's message at the earliest moment possible.

Senator Goucher accepted the amendment, and the motion, as amended, was adopted.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended and passed as amended Senate Bill No. 32—An Act to amend section two thousand two hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, in relation to the office of Treasurer of the Deaf and Dumb and Blind Asylum.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant Clerk.

MOTION.

Senator Dargie moved that the Senate concur in the amendment by the Assembly.

The ayes and noes were demanded by Senators Ostrom, Berry, and Goucher.

The Assembly amendment was concurred in by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Heacock, Maher, McComas, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Voorhies, and Williams (Geo. H.)—27.

NOES—Messrs. Berry, Harp, Langford, and Wilson—4.

Senator Goucher demanded a new roll call, and it was so ordered, with the following result:

AYES—Messrs. Bailey, Banks, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, McComas, Preston, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—23.

NOES—Messrs. Berry, Goucher, Harp, Langford, McGowan, Mead, Ostrom, Ragsdale, Seawell, and Wilson—10.

Senator Dargie moved that Senate Bill No. 32 be ordered to enrollment.

So ordered.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was then read:

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 34—An Act concerning the cost in civil actions for serving summonses and subpœnas.

Also: Adopted Assembly Joint Resolution No. 3—Relative to foreign immigration.

Also: Adopted Assembly Joint Resolution No. 7—Relative to irrigation and construction of reservoirs by the United States Government.

Also: Passed Senate Bill No. 301—An Act making appropriation of money to supply the deficiency in the appropriation for the support of the State Printing Office for the forty-second fiscal year.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 34—An Act concerning the costs in civil actions for serving summonses and subpœnas.

Referred to Committee on Judiciary.

Senate Bill No. 301—An Act making appropriation of money to supply the deficiency in the appropriation for the support of the State Printing Office for the forty-second fiscal year.

Passed, and ordered to enrollment.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Shippee: Senate Bill No. 485—An Act to amend paragraph twenty-seven (27) of section twenty-five (25) of an Act entitled "An Act to establish a uniform system or county and township governments."

Referred to Committee on Judiciary.

By Senator Simpson: Senate Bill No. 486—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the registration of voters, by adding a new section thereto, to be designated as section one thousand one hundred and eighteen.

Referred to Committee on Elections.

Also: Senate Bill No. 487—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, amended March 14, 1885, March 18, 1885, and as amended March 17, 1887, and March 16, 1889, by adding a new subdivision to said section twenty-five, to be known and designated as subdivision thirty-nine.

Referred to Committee on Counties, County Government, and Township Organization.

Also: Senate Bill No. 488—An Act to amend sections one hundred and sixty-four and two hundred and eleven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, and amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relative to the government of counties.

Referred to Committee on Counties, County Government, and Township Organization.

By Senator Maher: Senate Bill No. 489—An Act to amend an Act entitled "An Act to provide for the construction, maintenance, and regulation of fishways in streams naturally frequented by salmon, shad, and other migratory fish," approved April 16, 1880.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

Also: Senate Bill No. 490—An Act to amend sections six hundred and twenty-six, six hundred and thirty-three, six hundred and thirty-six, and six hundred and thirty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

Also: Senate Bill No. 491—An Act to amend an Act approved March 8, A. D. 1872, entitled "An Act to prevent hunting and shooting on private inclosed grounds and the destruction of growing timber on private grounds in certain counties of this State."

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

By Senator Bailey: Senate Bill No. 492—An Act to amend an Act entitled "An Act to provide for the building and furnishing of the Home for Soldiers' Widows and Orphans, and Army Nurses, and for the State to inquire into the management of such institution by a uniform rule proportioned to the number of inmates in said institution, for the management of the same, and for the support of indigent persons residing in the said Home," approved March 16, 1889.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator De Long: Senate Bill No. 493—An Act making an appropriation to pay the claim of Isidor Alexander.

Referred to Committee on Claims.

By Committee on Irrigation and Water Rights: Senate Bill No. 494—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections eighteen, twenty-four, twenty-five, and twenty-six thereof, relating to the assessment of property and the collection of such assessments.

Bill ordered on file for first reading.

By Senator Carpenter: Senate Bill No. 495—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

Referred to Committee on Judiciary.

By Senator Dray: Senate Bill No. 496—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure, in relation to judgments and orders in cases of contempt, and providing for appeals therefrom.

Referred to Committee on Judiciary.

Also: Senate Bill No. 497—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending section fifteen of said Act.

Referred to Committee on Judiciary.

Also: Senate Bill No. 498—An Act to amend an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding thereto five new sections, to be known as sections five hundred and thirty-nine (*a*), five hundred and thirty-nine (*b*), five hundred and thirty-nine (*c*), five hundred and thirty-nine (*d*), and five hundred and thirty-nine (*e*), in chapter four of part two, title seven, concerning attachments.

Referred to Committee on Judiciary.

By Senator McGowan: Senate Bill No. 499—An Act to amend sections one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand six hundred and fifty, one thousand six hundred and sixty-three, and one thousand six hundred and ninety-six, and to repeal sections one thousand six hundred and twenty-five, one thousand six-hundred and sixty-nine, one thousand six hundred and eighty-two, and four hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Referred to Committee on Education and Public Morals.

By Senator Voorhies: Senate Bill No. 500—An Act to add an additional section to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorney.

Referred to Committee on Judiciary.

By Senator Seawell: Substitute for Senate Bill No. 344—An Act to add a new section to the Civil Code, to be numbered one hundred and thirty-one, relative to the divorce of married persons.

Referred to Committee on Judiciary.

Assembly Joint Resolution No. 3—Relative to foreign immigration to the United States.

Referred to Committee on Federal Relations and Immigration.

Assembly Joint Resolution No. 7—Relating to irrigation and construction of reservoirs by the United States Government.

Referred to Committee on Irrigation and Water Rights.

MOTIONS.

Senator De Long moved that when the Senate take a recess it extend until one o'clock and thirty minutes P. M., and that when it adjourns it adjourn at three o'clock and thirty minutes P. M.

So ordered.

Senator Dray moved that the hour for recess be extended until the introduction of bills be completed.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, January 29, 1891.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, in joint committee with the Assembly, have formulated a bill and recommend that it do pass—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections eighteen, twenty-four, twenty-five, and twenty-six thereof, relating to the assessment of property and collection of such assessments.

R. H. CAMPBELL, Chairman.

RECESS.

At twelve o'clock and ten minutes P. M. the President declared a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thos. Fraser, President pro tem. of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Heacock: Senate Bill No. 501—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

Referred to Committee on Judiciary.

By Senator Broderick: Senate Bill No. 502—An Act to create the office of Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco.

Referred to Committee on Judiciary.

By Senator Flint: Senate Bill No. 503—An Act to provide for the investigation of the marine fishes of the bays and coast line of the State of California, and to provide for their protection and restoration, and the introduction of new varieties.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

SPECIAL FILE—SECOND READING OF BILLS.

Senate Bill No. 215 was then taken up.

On motion of Senator Flint, the bill was passed on file temporarily.

Senate Constitutional Amendment No. 4—Relative to incurring of indebtedness or liability of county, city, town, township, Board of Education, or school district.

Amendment adopted by the following vote:

Ayes—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Williams (Wm. H.)—31.
Noes—Messrs. Campbell of Solano and Wilson—2.

Senator Heacock moved that Senate Constitutional Amendment No. 8 be made a special order for Tuesday afternoon next, immediately after convening.

Ayes and noes were demanded by Senators Heacock, Voorhies, and Broderick.

The motion was adopted by the following vote:

Ayes—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Maher, McComas, McGowan, Mead, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—25.
Noes—Messrs. Campbell of Solano, Crandall, Goucher, Harp, Langford, Ostrom, Williams (Wm. H.), and Wilson—8.

THIRD READING OF BILLS.

Senate Bill No. 148, on motion of Senator Banks, was passed on file.

Senate Bill No. 154 was passed on file temporarily, until Senator Seawell should be present.

SECOND READING OF BILLS.

Senate Bill No. 83—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

The following committee amendments were adopted:

Section one—Strike out all of section one after the word "otherwise," in line fifteen.

Section two—Strike out all of section two.

Section one, line three, insert the word "labor" between the words "hours" and "constitute."

Section one, line eight, after the word "every," strike out the words "party to such contract," and insert in lieu thereof the words "contractor or sub-contractor."

Section one, line twelve, after the word "contract," insert the words "or sub-contracts."

Section one, line thirteen, strike out the word "party," and insert in lieu thereof the words "contractor or sub-contractor."

Bill ordered engrossed and on file for third reading.

Senate Bill No. 72—An Act regulating the form of requisitions for stationery made by the members of the Legislature, and the officers and employés thereof, upon the Secretary of State, was then taken up, read second time, ordered engrossed and on file for third reading.

Senator Seawell asked permission to withdraw his motion of yesterday to reconsider the vote on Senate Bill No. 154.

Granted.

Senate Bill No. 91—An Act to provide for the issuance and sale of State bonds, to create a fund for the construction and furnishing by the

Board of State Harbor Commissioners of a general ferry and passenger depot in the City and County of San Francisco, to create a Sinking Fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people.

Ayes and noes were demanded by Senators Ostrom, Maher, and Goucher on the question of Senate Bill No. 91 being ordered engrossed and on file for third reading.

Roll called, with the following result:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Crandall, De Long, Denson, Dray, Everett, Flint, Fraser, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.

NOES—Messrs. Berry, Campbell of Solano, Goucher, Hamill, and Ostrom—5.

Bill read, ordered engrossed and placed on file for third reading.

Senator Sprague moved to refer Senate Bill No. 189 to Judiciary Committee.

Senator Goucher moved to amend that the committee make its report not later than Saturday morning.

Senator Sprague accepted the amendment, and the motion as amended was carried.

Senate Bill No. 9—An Act to provide for the payment of the repairs upon the quarantine launch "Gov. Perkins."

Was read second time, and ordered engrossed and on file for a third reading.

Senate Bill No. 90—An Act to amend an Act entitled "An Act to amend section six of an Act entitled 'An Act concerning the waterfront of the City and County of San Francisco,' approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners," approved March 17, 1889.

Senator Maher moved to refer the bill to the Committee on Commerce and Navigation, and that it retain its place on file.

So ordered.

FIRST READING OF BILLS.

Senate Bill No. 45—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Bill read first time.

Senate Bill No. 121—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Bill read first time.

Senate Bill No. 172—An Act to appropriate the sum of four hundred and fifty-eight dollars and sixty-five cents to pay the claim of William H. Murphy, for money illegally paid the State of California.

Bill read first time.

Senator Sprague offered the following resolution, out of order:

Resolved, That the Sergeant-at-Arms of the Senate is hereby instructed to deliver to the Clerk of the Supreme Court at Sacramento two copies of each printed bill, also two copies of the Journal.

Adopted.

Senate Bill No. 209—An Act entitled "An Act to appropriate moneys

to pay the claim of George Fetherstone for services rendered in the office of Treasurer of State."

Bill read first time.

Senate Bill No. 54—An Act to appropriate money to pay the claim of George J. Mothersole for labor performed and expenses incurred in roofing the Napa State Asylum for the Insane, under a written contract.

Bill read first time.

Senate Bill No. 88—An Act to pay the claim of James W. Rankin for services in the office of the State Treasurer of California, and appropriate money therefor.

On the question of Senate Bill No. 88 being ordered to second reading, Senators Goucher, Broderick, and De Long demanded the ayes and noes.

Roll called, and Senate Bill No. 88 ordered to second reading by the following vote:

Ayes—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Denison, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McGowan, Mead, Ragsdale, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—23.

Noes—Messrs. Goucher, Ostrom, and Wilson—3.

Senate Bill No. 12—An Act repealing an Act declaring the Klamath River navigable.

Bill read first time.

Assembly Bill No. 22—An Act to amend section one thousand two hundred and nine of the Code of Civil Procedure of California, relating to the power of Courts in the matter of punishing contempts of Court.

Bill read first time.

Senate Bill No. 240—An Act to amend sections three thousand and seventy-seven, three thousand and seventy-eight, three thousand and eighty, and three thousand and eighty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the registry of births, deaths, and marriages.

Read first time and ordered to second reading.

Senate Bill No. 241—An Act to appropriate money for the erection of a State Hospital for Lepers.

Bill read first time.

Senate Bill No. 256—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Bill read first time.

Senate Bill No. 108—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as section three hundred and eight, relative to the sale or furnishing of tobacco or preparations thereof to persons under sixteen years of age.

Bill read first time.

Senate Bill No. 115—An Act to authorize the Adjutant-General to issue arms and accouterments to regularly organized Camps of the Order of Sons of Veterans in the State of California.

Bill read first time.

Senate Bill No. 117—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service and upon the public works of the State of California of honor-

ably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

Bill read first time.

Senate Bill No. 149—An Act to amend section seven hundred and ninety-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read first time.

Senate Bill No. 80—An Act to increase the police force of the various cities, and cities and counties of the State, and to provide for the appointment of such extra police officers, and for the payment of their salaries.

Bill read first time.

Senate Bill No. 127—An Act to provide for the levy and collection of taxes by and for school districts, except in municipal corporations of the first class.

Bill read first time.

Senate Joint Resolution No. 1—Relative to United States Senate Bill No. 8150.

Read, and on motion of Senator McGowan, was adopted.

Senate Bill No. 75—An Act to add a new section to the Political Code, to be known and designated as section four thousand three hundred and thirty-four, relating to the duties of officers.

Read first time, and ordered to second reading.

Senate Bill No. 69—An Act to amend section one thousand three hundred and twenty-nine of the Penal Code of the State of California, relative to the payment of the necessary expenses of witnesses in criminal cases.

Bill read first time, and ordered on file for second reading.

Senate Bill No. 118—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Bill read first time, and ordered on file for second reading.

Senate Bill No. 74—An Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire.

Bill read first time, and ordered on file for second reading.

Senate Bill No. 130—An Act to authorize and direct the sale of the site and buildings of the California Home for the Care and Training of Feeble-Minded Children, in Santa Clara County.

Bill read first time, and ordered on file for second reading.

Assembly Joint Resolution No. 1—Joint resolution relating to public building at Eureka.

Adopted.

Assembly Joint Resolution No. 5—Joint resolution relative to the erecting of a gun factory at Benicia for finishing and assembling high power guns.

Senate Bill No. 104—An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes.

Bill read first time.

Senate Bill No. 136—An Act to amend section seven hundred and ninety-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read first time.

Assembly Substitute for Senate Bill No. 165—An Act to add two new sections to chapter eleven of the Penal Code, to be known and numbered as sections three hundred and thirty-seven and three hundred and thirty-eight, relative to the selling of pools on horse races.

Bill read first time.

Senator Langford moved to rerefer the bill and Assembly substitute back to the Committee on Education and Public Morals.

Senators Langford, Maher, and Broderick demanded ayes and noes.

Motion to rerefer was lost by the following vote:

AYES—Messrs. Banks, Britt, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Langford, Mead, Ragsdale, Seawell, Shippee, and Williams (Geo. H.)—16.

NOES—Messrs. Bailey, Berry, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Goucher, Hamill, Harp, Maher, Mahoney, McGowan, Ostrom, Preston, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Wilson—21.

Bill ordered on file for second reading.

PRESENTATION OF PETITION—(OUT OF ORDER).

By Senator Maher:

SAN FRANCISCO, January 27, 1891.

Hon. THOS. C. MAHER, *Senate Chamber, Sacramento, Cal.:*

DEAR SIR: The undersigned taxpayers and residents composing membership of the Howard-Street Extension and Improvement Club, do most respectfully request that you urge the passage of the bill introduced by you for the increase of the police force of this city and county, and by so doing you will confer an everlasting obligation.

By reason of the limited number of the present force we are, in our section of the city, almost entirely destitute of police protection.

Respectfully yours,

R. E. Doran, President, 122 Precita Avenue.
W. R. Doran, 122 Precita Avenue.
Augustus S. Lillie, Secretary, 17 West Park Street, Holly Park.
James B. Conley, corner Banks and Powhattan Streets.
James B. Hughes, 1218-20 York Street, between Twenty-fourth and Twenty-fifth.
Frank B. Clarke, 260 Mission Street.
Jas. H. Winter, 3279 Mission Street.
Patrick Reilly, 3339 Mission Street.
William Gill, Cortland and California Avenues.
Michael Gorman, Cortland and California Avenues.
P. W. Commins, 209 Cortland Avenue.
Wm. McDonald, 217 Cortland Avenue.
H. J. Schroeder, corner Cortland Avenue and Wool Street.
H. J. Stumke, East Avenue, Holly Park.
H. E. Winkler, East Park Street, Holly Park.
Bartley Clyne, East Avenue, Holly Park.
N. C. Weinholz, Mission and Plymouth Streets, Holly Park.
P. Hennessy, Mission Street, Holly Park.
Bryan Kehoe, Holly Street, near Mission.
D. D. Rector, Holly Street.
Fr. Rava Kowski, Richland Avenue.
A. R. Quinn, Richland Avenue.
A. C. Bost, 31 East Park Street, Holly Park.
J. Bost, 31 East Park Street, Holly Park.
George W. Hughes, 411 Duncan Street.
Jas. J. Clark, Holly Park.
D. D. Clark, Holly Park.
Frank Clark, Holly Park.
Jas. Hughes, 411 Duncan Street.
S. Peterson, 95 Precita Avenue.
W. M. Kitchen, California Avenue, between Mission and Howard Streets.

Jefferson Martenet, 51 Montezuma Street.
Jefferson B. Martenet, 51 Montezuma Street.
M. W. Martenet, 51 Montezuma Street.
Frank J. Meyers, West Park Street, near Mission.
James Lynn, West Park Street, near Mission.

On motion of Senator Maher, the petition was ordered printed in the Journal.

FIRST READING OF BILLS—(RESUMED).

Senate Bill No. 278—An Act to prohibit the sale of intoxicating liquors within one mile of any reform school where juveniles are confined or kept.

Bill read first time.

Senate Bill No. 268—An Act to amend section two thousand nine hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the preservation of the public health.

Bill read first time.

Senate Bill No. 116—An Act to amend section five hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the office of Superintendent of State Printing, and providing for the election of such officer.

Bill read first time, and ordered on file for second reading.

ADJOURNMENT.

At three o'clock and thirty minutes P. M., the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, January 30, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Gonchet, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by the Rev. A. T. Needham.

READING OF THE JOURNAL.

The Journal of yesterday read, corrected, and approved.

PRESENTATION OF PETITIONS.

Senator Seawell presented a petition from the taxpayers and citizens of Willits, Mendocino County, relative to disincorporating.

SENATE JOINT RESOLUTION.

By Senator Heacock: Senate Joint Resolution No. 14—

Resolved by the Senate, the Assembly concurring, That our Senators in Congress be instructed and our Representatives be requested to use all honorable means to secure the enactment of a law by Congress authorizing the taxation, for State, county, and municipal purposes, of the treasury notes of the United States, commonly known as "greenbacks," to the same extent that other property is or may be taxed in the several States and Territories.

Resolved, That His Excellency the Governor be requested to furnish a copy of these resolutions to our Senators and Representatives in Congress.

Referred to Committee on Federal Relations and Immigration.

REPORTS OF STANDING COMMITTEES.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 30, 1891.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Constitutional Amendment No. 15—Proposed amendment to article twelve of the Constitution, relative to the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DE LONG, Chairman.

Senator De Long moved to take immediate action on Senate Constitutional Amendment No. 15.

Senator Langford moved to amend, by making it a special order for next Tuesday, at two o'clock P. M.

Senator Sprague moved a call of the Senate.

So ordered.

Roll called, with the following result:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), and Wilson.

Senator De Long moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

Senator Campbell of Solano moved to amend the amendment by rereferring Senate Constitutional Amendment No. 15 back to Committee on Constitutional Amendments and Banks and Banking.

Lost.

A vote was then taken on Senator Langford's amendment, and the amendment was carried.

The motion as amended was then adopted.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 29, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 340—An Act to repeal title sixteen of part four, division first, of the Civil Code, and to substitute a new title in place thereof, providing for the formation and government of mutual building and loan associations.

Also: Senate Bill No. 353—An Act to provide for furnishing assistants to every attorney and counselor, City Attorney, and City and County Attorney, and to each law officer by whatever official name he may be designated, officially conducting the civil litigation of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated as officers of each city, or city and county, and establishing the compensation and prescribing the duties of such assistants.

Also: Senate Bill No. 454—An Act to amend section two hundred and fifty-six of the Political Code of the State of California, to provide for the printing of the daily Journal of each House of the Legislature, and to repeal section two hundred and fifty-seven of said Code.

Also: Senate Bill No. 455—An Act adding a new section to the Political Code of the State of California, to be known and designated as section five hundred and thirty-nine, relative to the engrossment and enrollment of bills and other documents, and repealing sections two hundred and forty-eight and two hundred and forty-nine of said Code.

Also: Assembly Bill No. 60—An Act to add two new sections to article five of chapter eleven of title eleven of part three of the Code of Civil Procedure of California, to be designated as sections one thousand seven hundred and two and one thousand seven hundred and three, and relating to the declination of testamentary trustees and the appointment of persons to fill vacancies resulting from such declination or otherwise.

Respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 124—An Act to amend section one hundred and three of the Code of Civil Procedure, relating to Justice's Courts—respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 288—An Act to amend section one thousand nine hundred and sixty-two of the Code of Civil Procedure of California, to be known as subdivision eight, relating to what are deemed conclusive presumptions—respectfully report the same back, and recommend that the substitute herewith returned do pass.

SPRAGUE, Chairman.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 30, 1891.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 32—An Act to amend section two thousand two hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, in relation to the office of Treasurer of the Deaf and Dumb and Blind Asylum.

Also: Senate Bill No. 301—An Act making an appropriation of money to supply the deficiency in the appropriation for the support of the State Printing Office for the forty-second fiscal year.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, January 30, 1891.

MR. PRESIDENT: Your Committee on Engrossment beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 9—An Act to provide for the payment of the repairs upon the quarantine launch "Gov. Perkins."

Also: Senate Bill No. 72—An Act regulating the form of requisitions for stationery made by the members of the Legislature, and the officers and employés thereof, upon the Secretary of State.

Also: Senate Bill No. 83—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Also: Senate Bill No. 91—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and furnishing by the Board of State Harbor Commissioners of a general ferry and passenger depot in the city and county of San Francisco; to create a Sinking Fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people.

Also: Senate Bill No. 6—An Act in relation to reassessment of property and the equalization of the same in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment.

RAGSDALE, Chairman.

ON HARBORS, RIVERS, AND COAST DEFENSES.

SENATE CHAMBER, SACRAMENTO, January 29, 1891.

MR. PRESIDENT: Your Committee on Harbors, Rivers, and Coast Defenses, to whom was referred Assembly Bill No. 121—have had the same under consideration, and respectfully report the same back without recommendation.

BRODERICK, Chairman.

ON AGRICULTURE, VINICULTURE, AND VITICULTURE.

MR. PRESIDENT: Your Committee on Agriculture, Viniculture, and Viticulture, to whom was referred Senate Bills Nos. 126, 432, 198, 396, 272, and Senate Joint Resolution No. 4—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 377—with a recommendation that the same do not pass, the subject-matter being covered by Senate Bill No. 398.

Also: Senate Bill No. 398—with an amendment, and recommend that the bill do pass as amended.

Also: Senate Bill No. 429—with a recommendation that said bill be referred to the Committee on Printing, and that the author of said bill, Senator Ostrom, and Senator De Long be added to said Printing Committee, with instructions to consider and report a bill in accordance with the recommendations of the Governor upon the subject.

Also: Senate Bill No. 349—and recommended that the same be indefinitely postponed, the subject-matter contained therein being covered by Senate Bill No. 151, now upon the general file of the Senate.

FRASER, Chairman.

MOTIONS.

Senator Heacock moved that Senate Bill No. 429 be rereferred to Committee on Printing, and that Senator Ostrom be added to the Committee in accordance with committee report, and that Senator De Long be also added to the committee.

So ordered.

Senator De Long moved that when the Senate takes a recess, it be to one o'clock and thirty minutes P. M., and that when the Senate do adjourn, it adjourn at three o'clock and thirty minutes P. M.

Adopted.

ANNOUNCEMENT.

The President announced the appointment of Senator Ostrom as a member of the State Prison Committee, vice Senator Seawell, resigned.

MOTION.

Senator McGowan moved that the hour for recess be extended until the business in hand be disposed of.

So ordered.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, January 30, 1891.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 406—An Act to provide for a State Board of Charities and Correction, defining its powers and duties, and appropriating money therefor: also, prescribing the duties of State, county, and municipal officers in connection therewith—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 163—An Act to authorize Boards of Health and Health Officers, in cities, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such cities, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors—have had the same under consideration, and respectfully report back a substitute, and recommend that it do pass.

Also: Senate Bill No. 142—An Act to add a new section to the Penal Code, relative to the prohibition and prevention of the use of all acids, or solution of acids, in the manufacture of hermetically sealed tin cans used for canning purposes, to be known as section two hundred and forty-six—have had the same under consideration, and respectfully report the same back, without recommendation.

SIMPSON, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, January 30, 1891.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 254—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McGOWAN, Chairman.

FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, January 29, 1891.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Senate Joint Resolution No. 5—Requesting Congress to enact a law prohibiting foreign immigration—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Joint Resolution No. 6—Relative to the establishment of a Postal Telegraph and Express Department in connection with the Postal Department of the United States—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

G. H. WILLIAMS, Chairman.

RESOLUTION.

By Senator Byrnes:

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of W. O. Banks for ($102 40) one hundred and two dollars and forty cents for mileage of Committee on Public Buildings other than Prison Buildings, as per following statement:

Senator Banks, whole number of miles, 256	$25 60
Senator Britt, whole number of miles, 256	25 60
Senator G. H. Williams, whole number of miles, 256	25 60
Clerk, Miss Wood, whole number of miles, 256	25 60

The resolution was adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Dray, Everett, Flint, Goucher, Hamill, Harp, Heacock, Langford, Maher, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (George H.) and Wilson—30.

NOES—None.

Senator Goucher asked permission to withdraw from Committee on Irrigation, in favor of Senator Berry.

Permission to withdraw granted, and Senator Berry added to the committee.

RECESS.

At twelve o'clock and five minutes P. M. the Senate took a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, De Long, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Welch, and Williams (Geo. H.).

Quorum present.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 29, 1891.

To the honorable Senate of the State of California:

I hereby nominate Charles F. Bassett, of the City and County of San Francisco, to the office of State Harbor Commissioner, to succeed William D. English, whose term expires March 12, 1891, and request your consent to the appointment.

H. H. MARKHAM, Governor.

Senator Heacock moved that the consideration of the Governor's message be made a special order for next Monday, at two o'clock and thirty minutes P. M.

So ordered.

LEAVE OF ABSENCE.

Senator Ostrom asked for leave of absence for Senator Wilson until Monday.

Granted.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following bills, viz.:

Assembly Bill No. 139—An Act to provide for the levy and collection of taxes by and for school districts, except in municipal corporations of the first class.

Also: Substitute for Assembly Bill No. 50—An Act to amend an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of the State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

Also: Assembly Bill No. 36—An Act to add an additional section to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorney.

Also: Assembly Bill No. 197—An Act to amend section two thousand six hundred and eighty-four of the Political Code of California.

Also: Assembly Bill No. 102—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendment thereto, approved March 19, 1889.

Also: Assembly Bill No. 211—An Act to increase the police force of the various cities and cities and counties of the State, and to provide for the appointment of such extra police officers, and for the payment of their salaries.

Also: Assembly Bill No. 199—An Act to add a new section to "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, to be known as section eight hundred and eighty-seven, relating to illegal salaries and fees.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant Clerk.

Assembly Bill No. 139 referred to Committee on Corporations.

Substitute for Assembly Bill No. 50 referred to Committee on Corporations.

Assembly Bill No. 36 referred to Committee on Judiciary.

Assembly Bill No. 197 referred to Committee on Judiciary.

Assembly Bill No. 102 referred to Committee on Corporations.

Assembly Bill No. 211 referred to Committee on City, City and County, and Town Governments.

Assembly Bill No. 199 referred to Committee on Corporations.

MOTIONS.

Senator Ragsdale moved that Assembly Bill No. 139 be taken up, read, and substituted for Senate Bill No. 127.

So ordered.

Assembly Bill No. 139 read.

Senator Maher moved that Assembly Bill No. 211 be taken up, read, and substituted for Senate Bill No. 80.

So ordered.

Assembly Bill No. 211 read.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Campbell of Siskiyou (by request): Senate Bill No. 504—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to chapter seven, title nine, part one thereof, three new sections, numbered, respectively, two hundred and ninety-nine, three hundred, and three hundred and one, forbidding the exhibition, opening, or maintaining of a bull, bear, cock, or prize fight, horse race, circus, gambling house or saloon, or any barbarous or noisy amusement, or the keeping, conducting, or exhibiting of any theater or other place of musical, theatrical, or operatic performance where intoxicating drink is sold, given away, or used, on Sunday; forbidding, also, the keeping open on that day of any store, workshop, bar, saloon, banking house, or other place of business for business purposes.

Referred to Committee on Education and Public Morals.

By Senator Banks (by request): Senate Bill No. 505—An Act for the relief of George Nightingale, Michael Ryan, Joseph Rosa, Bridget Davis, Bernard Ward, Ellen Burdett, John Wrixon, Michael O'Neil, Anna Elizabeth Sneider, Eliza Kelleher, William J. Nightingale, Margaret Coogan, Bridget L. Ryan, Elizabeth Overend, Thomas Dillon, Patrick Carrigan, Bridget F. Houston, Timothy Murphy, James McGeough, Otis Berge, James Hartford, James Toohey, and Ellen J. McArevey, whose property has been taken and destroyed by blasting and excavating Telegraph Hill, in the City and County of San Francisco, for rock and earth with which to construct the State seawall along the port of San Francisco, in the State of California.

Referred to Committee on Claims.

Also (by request): Senate Bill No. 506—An Act to authorize the Board of State Harbor Commissioners to adjust and pay the claim of Daniel J. Logan.

Referred to Committee on Claims.

By Senator Simpson: Senate Bill No. 507—An Act to amend section six hundred and twenty-six of the Penal Code of California, in relation to the protection and preservation of game birds and animals.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

Also: Senate Bill No. 508—An Act to amend section four hundred of the Penal Code of California, approved March 19, 1889, in relation to the suppression and prevention of glanders or farcy.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Preston: Senate Bill No. 509—An Act to provide for the division of existing counties, and for the creation and organization of new counties, and names therefor; to determine the location of county seat by an election; to declare the manner of providing officers; to provide for the support of such new counties by the issuance of bonds; and to determine what portion of old county debt is chargeable to such new county.

Referred to Committee on Counties, County Government, and Township Organization.

Also: Senate Bill No. 510—An Act to amend an Act entitled "An Act to establish a Political Code," and relating to public roads, their repair and maintenance.

Referred to Committee on Roads and Highways.

By Senator Heacock: Senate Bill No. 511—An Act to amend sections two hundred and seventy-six and two hundred and seventy-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to the admission of attorneys and counselors at law.

Referred to Committee on Judiciary.

By Senator Shippee: Senate Bill No. 512—An Act to provide for the appointment of an Inspector of Live Stock in each county of this State; to fix his compensation, and prevent the spread of glanders, farcy, and other infectious or contagious diseases among live stock, and fixing a penalty for the using, keeping, buying, or selling of any animal infected with glanders, farcy, or other infectious or contagious disease.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Maher: Senate Bill No. 513—An Act to amend an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening or closing up in whole or in part any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose."

Referred to Committee on Counties, County Government, and Township Organization.

By Senator McComas: Senate Bill No. 514—An Act to fix the width of public highways, prevent encroachments thereon, and to give Boards of Supervisors the power to determine their location, extent, width, and grade.

Referred to Committee on Roads and Highways.

By Senator Dargie: Senate Bill No. 515—An Act to authorize the Board of State Harbor Commissioners to pay the claim of the Oregon Improvement Company.

Referred to Committee on Claims.

Also: Senate Bill No. 516—An Act to enable the Coulterville and Yosemite Turnpike Company, a corporation, to sue the State of California for the loss and damage suffered and sustained by said corporation, by the construction of a road by the Yosemite Turnpike Road Company, under and by virtue of an Act of the Legislature of the State of California entitled "An Act granting the right of way to the Yosemite Turnpike Road Company over the Yosemite Grant," approved February 17, 1874, and for the relief of said Coulterville and Yosemite Turnpike Company.

Referred to Committee on Judiciary.

By Senator Fraser: Senate Bill No. 517—An Act relating to the roofing of public buildings in the State of California.

Referred to Committee on Public Buildings other than Prison Buildings.

RESOLUTION.

Senator Dray offered the following resolution, which was unanimously adopted:

Resolved, That when the Senate adjourns this day, it do so out of respect to the memory of the late William Windom, Secretary of the United States Treasury.

INTRODUCTION OF BILLS—(RESUMED).

By Senator Preston: Senate Constitutional Amendment No. 16—An Act to amend the Constitution wherein it relates to the Judicial Department, to establish District Courts of Appeal, and to relieve the Supreme Court, looking to the abolishment of the Supreme Court Commission.

Referred to Committee on Judiciary.

RESOLUTION.

Senator Ostrom moved the adoption of the following resolution:

Resolved, That the Warden of San Quentin State Prison be and he is hereby requested to furnish to the Senate, on or before the seventh day of February, proximo, the total cost to the State of the manufacture of grain bags during the calendar year beginning January 1, 1890, and ending January 1, 1891, the number of bags manufactured during the same time, and the cost per bag.

Adopted.

SPECIAL FILE.

Senate Bill No. 215—An Act to authorize the Board of Fish Commissioners of this State to purchase the land on which the State fish hatcheries at Sisson and Lake Tahoe are now situated, and appropriating money therefor.

The following committee amendments to the bill were submitted:

Insert in section one, line two, after the word "purchased," the words "out of the fund for the support and maintenance of the State hatcheries."

Adopted.

Also: Strike out section two.

Senator Banks moved to amend by inserting in section one, line three, after the word "situated," the words "at a sum not to exceed one thousand five hundred dollars."

Adopted.

On the question of ordering bill to engrossment, Senators Ostrom, Mead, and Langford demanded the ayes and noes.

Roll called, and bill ordered to engrossment by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Hcacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Williams (Geo. H.), and Wilson—33.

NOES—None.

Bill ordered to engrossment and on file for a third reading.

MOTIONS.

Senator Goucher moved that Senate Constitutional Amendment No. 3 be passed, and retain its place on file.

So ordered.

Senator Dray moved that Senate Constitutional Amendment No. 7 be passed, and retain its place on file.

So ordered.

THIRD READING OF BILLS.

Senator Banks moved that Senate Bill No. 148 be passed, and retain its place on file.

So ordered.

SECOND READING OF BILLS.

Senator Maher moved that Senate Bill No. 90 be passed, and retain its place on file.

So ordered.

FIRST READING OF BILLS.

Senate Bill No. 45—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Read second time.

Senator G. H. Williams moved to amend, by striking out of section one, line seven, the words "wheel of fortune."

Ayes and noes were demanded by Senators Broderick, Mead, and Berry, on the adoption of the amendment.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Dray, Everett, Hamill, Maher, and Williams (Geo. H.)—9.

NOES—Messrs. Bailey, Berry, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Fraser, Goucher, Harp, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, and Wilson—25.

Senator Seawell moved to amend by striking out of section one, line nine, the words "less than two hundred nor."

Senator Goucher moved as an amendment to the amendment by striking out of section one, line eight, all the words after the word "value," and all of lines nine, ten, eleven, and twelve, and substitute the following: "and every person who plays or bets at or against any of said prohibited games, is guilty of a misdemeanor."

Senator Seawell accepted Senator Goucher's amendment as a substitute.

Senator Heacock moved to amend the substitute by adding at end of amendment: "and shall be punishable by a fine of not less than one hundred dollars nor not more than five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment."

Senator Goucher accepted Senator Heacock's amendment.

A vote was then taken and the amendment was adopted.

Senator Crandall moved to strike out section two.

So ordered.

The bill was ordered engrossed and placed on file for third reading.

RESIGNATIONS.

Senator Heacock asked leave to present the resignation of Postmistress Mrs. E. E. Taboas.

Granted.

RESIGNATION.

To the Senate of the State of California:

I hereby resign my position as Postmistress of the Senate.

E. E. TABOAS.

SACRAMENTO, January 27, 1891.

On motion of Senator Heacock the resignation was accepted.

MOTION.

Senator Heacock moved that the Senate proceed to elect a Postmistress and Assistant Postmistress.

So ordered.

ELECTION OF POSTMISTRESS.

Senator Heacock placed Mrs. E. E. Taboas in nomination.

Roll called, and Mrs. E. E. Taboas was elected by the following vote:

For Mrs. Taboas—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Geo. H.), and Wilson—33.

ELECTION OF ASSISTANT POSTMISTRESS.

Senator Heacock placed Miss Agnes Vance in nomination for Assistant Postmistress.

Roll called, and Miss Agnes Vance was elected Assistant Postmistress by the following vote:

For Miss Vance—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Flint, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McGowan, Preston, Ragsdale, Seawell, Simpson, Streeter, Voorhies, and Welch—28.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, January 30, 1891.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 341—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BANKS, Chairman.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 121—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Senator McGowan moved to amend by striking out of section ten, line six, the word "and," and insert therefor "or."

Adopted.

Also: In section fifteen, after the word "officer," in line three, insert "such by-laws may be adopted as by-laws are now adopted by corporations organized for profit."

Adopted.

Senator McGowan asked unanimous consent of the Senate to have the hour for adjournment extended until the subject under consideration be disposed of.

So ordered.

Senator Dray moved to amend by striking out of section seventeen, line four, all the words after the word "thereon."

Senator Crandall moved an amendment to the amendment by striking out of section seventeen, line five, the words "any tax or," and after the words "exempt from."

Senator Dray accepted the amendment, and the amendment was then adopted.

The following amendments by Senator McGowan were also adopted:

Amend section seventeen by inserting on line five, after the word "fee," the following: 'And no company or corporation organized under the provisions of this Act shall be required to make any deposit of any funds or property with any officer of this State, or in the State Treasury, for any purpose."

Also:

Section 18. Anycompany or corporation organized under this Act shall not be subject to any supervision or control of the Insurance Commissioner of this State.

Also:

Section 19. This Act shall take effect immediately.

The bill, as amended, ordered engrossed and on file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, January 30, 1891.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 28—An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable streams of water, and to confine innavigable running streams to a fixed channel—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by the committee.

Also: Senate Bill No. 261—An Act regulating the sale of the lands uncovered by the recession of the waters of the inland lakes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DRAY, Chairman.

ADJOURNMENT.

At three o'clock and forty minutes P. M. the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, January 31, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hanall, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Rev. A. T. Needham.

LEAVE OF ABSENCE.

Senator G. H. Williams asked leave of absence for Senator Banks for to-day.

Granted.

Senator McGowan asked leave of absence for to-day for Secretary Brandon.

Granted.

Senator McComas asked leave of absence for to-day for Senator Langford.

Granted.

READING OF THE JOURNAL.

The Journal of yesterday read, corrected, and approved.

COMMUNICATION.

The President announced the receipt of the following communication from the President and Secretary of the Women's Christian Temperance Union:

SACRAMENTO, January 29, 1891.

To the President and members of the Senate:

The ladies of the Women's Christian Temperance Union cordially invite you to attend the lecture given by Mrs. Clara Hoffman at the Congregational Church, Sixth Street, between I and J Streets, Sunday evening, February first, and Monday evening, February second.

Mrs. Hoffman speaks on the great questions of the day, and is one of the most able and brilliant speakers among the many talented women of America. Has a magnificent voice, commanding presence, with logic most convincing and wit irresistible.

Those who come may expect, certainly, an intellectual treat.

MRS. W. M. JENKS, President,
MRS. WILLIS, Secretary,
Women's Christian Temperance Union.

Senator Heacock moved that it be accepted and placed on file.

So ordered.

RESOLUTION.

By Senator Ragsdale:

Resolved, That after the completion of the special file at this day's session, the first reading file be taken up and first reading of bills continued until adjournment, and that the rules be suspended so far as necessary to execute this resolution.

Adopted.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Seawell (by request): Senate Bill No. 518—An Act to authorize the Board of State Capitol Commissioners to provide a suitable residence for the Governor, and to appropriate money therefor.

Referred to Committee on Finance.

By Senator Campbell of Siskiyou (by request): Senate Bill No. 519—An Act to amend sections eight, eighteen, twenty-one, and twenty-three of an Act entitled "An Act to incorporate the town of Red Bluff, Tehama County, California," approved March, 1876, and amended March, 1878.

Referred to Committee on Counties, County Government, and Township Organization.

LEAVE OF ABSENCE.

Senator Seawell asked for leave of absence for to-day.

Granted.

RESOLUTION.

By Senator Voorhies:

Resolved, That Rule 8 be amended by inserting in line two of said rule, after the word "place," the following: "apportionment bills and."

Referred to Committee on Rules.

PRESENTATION OF PETITIONS.

By Senator McGowan, with the request that it be read and printed in the Journal.

So ordered.

PETITION.

To the honorable the Senate and Assembly in Legislature assembled:

The undersigned, your petitioners, citizens and residents of the county of Del Norte, and State of California, hereby respectfully remonstrate against the passage of any Act repealing "An Act to declare the Klamath River navigable," approved April 23, 1880, for the following reasons:

1. The said river is now navigable in point of fact for steamers for a distance of eight miles, and can be improved so that it will be navigable for at least thirty miles above its mouth, at a moderate expense.

2. It is now navigated by steamers carrying in supplies for the residents, and carrying out tan bark and fish and other products of the country.

3. It is the second river in size in the State of California, and is the only commercial outlet for a large section of timber and agricultural land.

4. The Klamath River Indian Reservation at present covers an extent of country one mile in width on each side of said river, and extending twenty-five miles up stream. A bill to abolish said reservation has passed the lower House of Congress, and is now before the Senate for passage. If passed, a large number of persons, settlers and others, will engage in varied industries along said river, and the river will be extensively used for navigation.

5. Mining debris has already shoaled the mouth of the river, and the bar beyond the same, and the miners of the counties through which this river runs, above this county, are the only ones interested in the said repeal of said Act, so they may have an outlet for the debris from their mines.

6. The mouth of the river should be improved by Congress, who will not do so until a stop is put to the debris running in said river; wherefore, we ask that the repealing Act do not pass.

And your petitioners will ever pray, etc.:

G. Arthur, fisherman.
C. D. Moody, rancher.
E. J. Frey, fisherman.
Tom Davis, farmer.
H. P. Mulkey, rancher.
Scofield Bros., stock raisers.
Chas. Farlin, ferryman.
L. H. Stevens, stock raiser.
E. O. Fehely, miner.
Mich. Riley, cooper.
Patrick Riley, rancher.
W. Nicholls, farmer.
B. D. Gibbs, farmer.
James Iser, farmer.
Silas White, farmer.
Frederick Taylor, farmer.
John Zweilein, farmer.
P. Jahensen, fisherman.

P. D. Holcomb, farmer.
Henry Hodge, fisherman.
L. B. Nichols, fisherman.
Wm. Norris, farmer.
James Bowie, printer.
Fred. P. Barrow, canneryman.
Thos. J. Edson, fisherman.
Philip Rosell, fisherman.
W. S. Guerin, clerk.
J. M. Miller, rancher.
Virgil Ashley, rancher.
Edw. Schnaubelt, lumber manufacturer.
H. B. Schnaubelt, lumber manufacturer.
Paul Fucik, rancher.
Paul Friedrich, carpenter.
James Eads, farmer.
John Safford, farmer.
N. T. Bailey, canneryman.
C. F. Look, fisherman.
H. K. Pilgsan, farmer.
James Ragen, farmer.
L. J. Lockwood, rancher.
Wm. Childres, farmer.
B. Doran, rancher.
Charles Wilson, rancher.
Wm. Archie, rancher.
Jas. McGarvin, rancher.
Joe Ewing, rancher.
Geo. W. McDanish, fisherman.
George Broun, rancher.
J. Webber, fisherman.
Henry Davis, miner.
Otto Kuhel, fisherman.
Johan Nickle, fisherman.

By Senator Carpenter: A protest from Los Angeles County at large against the formation of Pomona County, aggregating eight thousand five hundred signatures.

Senator Carpenter requested that the number of names only be read.

So ordered.

Senator Campbell of Solano moved that the petition be referred to the Committee on Counties, County Government, and Township Organization.

Motion lost.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 30, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Joint Resolution No. 12—A joint resolution relative to furnishing Kern County with one set of California Reports—respectfully report that in the opinion of your committee, it is the duty of the Board of Supervisors of each county of this State to furnish each Superior Judge of the county with a set of the California Reports, and that the Legislature of this State has not the power, by concurrent resolution, to direct the State Librarian to take books from the State Library, and your committee accordingly recommend that said resolution be not adopted.

Also: Senate Bill No. 147—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887, and section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885, relating to liens of mechanics and others.

Also: Senate Bill No. 327—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add a new section thereto, to be known as section one thousand eight hundred and ten, relating to the power of guardians to settle and compromise claims against the estates of their wards.

Also: Senate Bill No. 382—An Act to prohibit the buying and selling of the shares of the capital stock of corporations in any stock board, stock exchange, or stock market under the control of any association.

Also: Senate Bill No. 410—An Act to amend section one hundred and fifty-eight of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 383—An Act declaring contracts for the sale of the capital stock of corporations or associations on margin unlawful, and defining and declaring certain contracts to be such as are declared unlawful.

Respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 444—An Act to amend section six hundred and forty-seven of the Penal Code, concerning vagrants.

Also: Senate Bill No. 468—An Act to amend section fifty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to powers in appealed cases—respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 252—An Act for the relief of the heirs of Michael Curran, deceased—respectfully report the same back without recommendation.

SPRAGUE, Chairman.

ON CONSTITUTIONAL AMENDMENTS AND BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, January 31, 1891.

MR. PRESIDENT: Your Committee on Constitutional Amendments and Banks and Banking, to whom was referred Senate Constitutional Amendment No. 5—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CRANDALL, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 30, 1891.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 37—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity.

Also: Senate Bill No. 38—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 26—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and town governments," approved March 14, 1883, amended March 14, 1885, and March 18, 1885, and as amended March 7, 1887.

Also: Senate Bill No. 350—An Act to provide for the formation of new counties.

Also: A petition from the West Park Farmers' Alliance of Fresno County.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Counties, County Government, and Township Organization.

DARGIE, Chairman.

EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, January 31, 1891.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 405—An Act to amend section three hundred and twenty of the Penal Code of the State of California, relative to lotteries—have had the same under consideration, and respectfully report the same back amended, and recommend that it do pass as amended.

Also: Senate Bill No. 251—An Act to prohibit the publication in any newspaper, periodical, publication, or pamphlet of any list or partial list of any numbers of tickets, checks, or coupons entitled to prizes resulting from the drawing of any lottery, or to publish any account of any person having drawn a prize in any lottery, and to provide, etc.—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 352—An Act to amend sections one thousand five hundred and forty-eight, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and sixty, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and forty-nine, one thousand six hundred and sixty-two, one thousand six hundred and sixty-five, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, and one thousand seven hundred and ninety-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools—have had the same under consideration, and respectfully report the same back amended, and recommend that it do pass as amended.

DENISON, Chairman.

ON AGRICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, January 31, 1891.

MR. PRESIDENT: Your Committee on Agriculture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 53, also Senate Bill No. 193, and Senate Bill No. 280—have had the same under consideration, and report the same back with a substitute, and recommend the adoption of the substitute.

FRASER, Chairman.

ON FORESTRY, YOSEMITE VALLEY, MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, January 30, 1891.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Bill No. 216—An Act to pre-

vent the destruction of young fish in mill-races, irrigating ditches, flumes, and canals—have had the same under consideration, and respectfully report the same back with amendment, and recommend that it do pass as amended.

Also: Senate Bill No. 217—An Act to authorize the Board of Fish Commissioners of this State to establish a trout hatchery at or near the city of San Francisco, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FLINT, Chairman.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, January 31, 1891.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Senate Bill No. 442—Relative to the promotion of drainage.

Also: Assembly Joint Resolution No. 7—Relative to the construction of reservoirs by the U. S. Government.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

R. H. CAMPBELL, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 31, 1891.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 400—An Act to authorize the Controller of State to issue a duplicate Controller's warrant—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 404—An Act to appropriate money for the erection of a monument on the plot of the Sacramento Veterans of the Mexican War, in the city cemetery of Sacramento—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 409—An Act to appropriate money for the erection of a monument in Golden Gate Park, in the city of San Francisco, in memory of the late General M. G. Vallejo—have had the same under consideration, and respectfully report the same back without recommendation.

DE LONG, Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, January 31, 1891.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 420—An Act to amend sections one and two of an Act entitled "An Act concerning lodging houses and sleeping apartments within the limits of incorporated cities," approved April 3, 1876—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAHER, Chairman.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 31, 1891.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 269—have had the same under consideration, and respectfully report a substitute for said bill, and recommend that said substitute do pass, and that the same be printed.

Also: Senate Bill No. 237—have had the same under consideration, and propose the following amendments thereto:

In section four, line eight, of the printed bill, between the words "after and final," insert "notice at the home office by mail, as provided by law of."

Also: In section ten, line four, after the word "of," insert "notice."

Also: In section eleven, line five, after the word "payable," insert "and such notice shall be mailed at least fifteen days before the assessment is due."

Also: Senate Bill No. 222—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 367—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 236—have had the same under consideration, and propose the following amendments to said bill:

First—That said bill be amended by striking out the remainder of section one, after the word "section," on page two, line twenty-two, of the printed bill, and inserting in lieu thereof the words: "be guilty of a misdemeanor, and punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for a period of not less than thirty days nor more than six months, or by both such fine and imprisonment."

Second—On line fourteen of the printed bill, after the word "opium," strike out the word "contained," and insert in lieu thereof the word "described."

Third—Add to section one the following: "*provided*, that nothing in this Act shall prevent manufacturing chemists from purchasing opium for the manufacture of their various medicinal preparations."

And your committee respectfully recommend that said bill as amended do pass.

CARPENTER, Chairman.

ANNOUNCEMENT.

The President announced that substitutes for Senate Bills Nos. 53, 193, and 280 would be printed; also, substitute for Senate Bill No. 269.

RECESS.

At twelve o'clock and fifteen minutes P. M. the Senate took a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.
Hon. Thos. Fraser, President pro tem. of the Senate, in the chair.
Roll called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

SPECIAL FILE.

Senator Ragsdale requested that Senate Bill No. 28 be passed for a few days, and retain its place on file.
So ordered.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Berry: Senate Bill No. 520—An Act to provide for the creation of new counties.

Referred to Committee on Counties, County Government, and Township Organization.

By Senator Campbell of Siskiyou: Senate Bill No. 521—An Act to repeal an Act entitled "An Act making appropriations for the purchase of additional jute machinery and the erection of additional buildings for the manufacture of jute goods for the State Prison at San Quentin, and other expenses incidental and relating thereto," approved March 24, 1887.

Referred to Committee on Finance.

By Senator Heacock: Senate Bill No. 522—An Act to amend section two hundred and eleven of an Act entitled "An Act to amend sections thirteen, sixteen, twenty-five, fifty-seven, seventy, seventy-one, one hundred and forty-seven, one hundred and sixty-two, one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-three, one hundred and eighty-four, one hundred and eighty-five, one hundred and eighty-six, one hundred and eighty-seven, one hundred and eighty-eight, one hundred and eighty-nine, one hundred and

ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety-three, one hundred and ninety-five, one hundred and ninety-six, two hundred and one, two hundred and two, two hundred and three, two hundred and six, two hundred and nine, two hundred and eleven, and two hundred and twenty-five of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved March 14, 1883, as amended March 18, 1885, and March 17, 1887, and to insert two new sections, to be numbered one hundred and eighty-eight and one half and two hundred and one and one half, and to create two new classes of counties of the twenty-sixth and one half and of the thirty-ninth and one half class, relating to the government of counties, and to repeal section one hundred and ten and one half of said Act," approved March 16, 1889.

Referred to Committee on City, City and County, and Town Governments.

MOTION.

Senator Carpenter moved that the Senate pass everything on special file, and consider only first reading of bills during the rest of to-day's session.

So ordered.

LEAVE OF ABSENCE.

Senators Wm. H. Williams and Denison were granted leave of absence for balance of the day.

FIRST READING OF BILLS.

The following bills were read the first time:

Senate Bill No. 58—An Act to amend section five hundred and thirty of the Political Code, relating to the office of Superintendent of State Printing.

Senate Bill No. 16—An Act to amend section four hundred and ninety-nine of the Civil Code of California, relative to the authority to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway, operated under different management, to use parts of the same streets and tracks.

Senate Bill No. 135—An Act to amend sections one thousand three hundred and five, one thousand three hundred and seventy-three, one thousand five hundred and fifty-two, one thousand six hundred and thirty-three, and one thousand six hundred and thirty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to estates of deceased persons.

Assembly Bill No. 132—An Act to amend an Act entitled "An Act in relation to certain deputies, assistants, and copyists of County Clerks," approved April 2, 1880.

Senate Bill No. 61—An Act to provide for the better discovery of assessable personal property, to aid Assessors and Boards of Equalization in the performance of their duties, and to require insurance companies to make annual reports of personal property insured.

Senate Bill No. 2—An Act to confirm, ratify, and make valid ordinances heretofore passed by the body intrusted with the government of

incorporated cities, city and county, and towns, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated cities, city and county, and towns, by electric power.

Senate Bill No. 47—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of incorporated cities, city and county, or towns.

Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish and game.

Senate Bill No. 66—An Act to regulate the sale of olive oil.

Senate Bill No. 264—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section one thousand eight hundred and sixty-four and one half, to give a lien to the breeders of thoroughbred cattle, horses, and other domestic animals.

Senate Bill No. 40—An Act to provide for the appointment of a State Veterinary Surgeon, to prescribe his duties, and fixing his compensation.

Senate Bill No. 133—An Act to amend an Act entitled an Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State," approved March 19, 1889.

Senate Bill No. 281—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations.

Senate Bill No. 81—An Act to provide for a State Board of Arbitration, for the settlement of differences between employers and employés.

Senate Bill No. 167—An Act to make train wrecking a capital offense.

Senate Bill No. 227—An Act entitled "An Act to add another section to the Code of Civil Procedure of the State of California," relating to incompetent persons.

Senate Bill No. 134—An Act to amend sections one thousand one hundred and eighty-seven and one thousand one hundred and eighty-nine, and to repeal sections one thousand one hundred and eighty-six and one thousand one hundred and ninety-one of the Civil Code, relating to the recording and acknowledgment of transfers.

Senate Bill No. 287—An Act to amend section ninety-two of the Civil Code, and to add a new section to the Civil Code, to be designated as section one hundred and eight, concerning divorces.

Senate Bill No. 238—An Act to amend sections seven hundred and ninety-nine and eight hundred of the Penal Code, relating to the limitation of time within which prosecution for murder, the embezzlement of public moneys, and the falsification of public records must be commenced.

MOTION.

Senator Campbell of Solano moved that Senate Bill No. 299 be stricken from the file.

So ordered.

FIRST READING OF BILLS—(RESUMED).

The following bills were read first time:

Senate Bill No. 34—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to the redemp-

tion of property sold for delinquent taxes, and the notices to be given by the purchasers of property at delinquent tax sales before applying for a deed.

Senate Bill No. 51—An Act to amend an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, and to authorize the owners of lots in such cemeteries to transfer them by deed.

Senate Bill No. 71—An Act prescribing the competency and for the protection of witnesses testifying as to crimes against the elective franchise, to be added as a new section under title four of the Penal Code of the State of California, and to constitute section sixty-four of said Penal Code.

Senate Bill No. 119—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Senate Bill No. 120—An Act to amend section one hundred and seventy-two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the husband's control and disposition of the community property.

Senate Bill No. 87—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to chapter eight, title thirteen, part one, one section numbered five hundred and thirty-eight, relating to the punishment of fortune telling.

Senate Bill No. 109—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a section thereto, to be known as section one hundred and sixteen of said Act, relating to practice in township and municipal Courts.

Senate Bill No. 78—An Act entitled "An Act to provide for the payment for services rendered the State of California by William H. Thornley, as Deputy State Commissioner of Immigration, and making the necessary appropriation therefor."

Senate Bill No. 267—An Act to regulate the interest of money.

Senate Bill No. 274—An Act to provide for the assessment of property, and to provide a penalty for the failure or neglect of Assessors to perform their duty in making assessments.

Senate Bill No. 262—An Act making an appropriation to pay the deficiency in the appropriation for the salary of the Executive Secretary to the Governor for the forty-first and forty-second fiscal years.

Senate Bill No. 342—An Act to provide for the appointment of a guardian for the Marshall monument and grounds, prescribing his duties, and appropriating money therefor.

Senate Bill No. 62—An Act for the relief of Patrick Creighton.

Senate Bill No. 5—An Act to add a new section to the Political Code, to be numbered two thousand six hundred and twenty-three, in relation to vacating public roads.

Senate Bill No. 3—An Act to amend section two thousand six hundred and eighty-eight of the Political Code of the State of California, concerning the hearing of the reports of viewers of public highways by Boards of Supervisors, and the manner, time, and place of hearing such report, and the method of giving notice of such time and place to non-consenting land owners, and concerning damages to be awarded on such hearing.

Senate Bill No. 4—An Act to amend section two thousand six hundred and eighty-two of the Political Code of the State of California, in relation to the character of petitions to be presented for the purpose of altering, laying out, or constructing, or discontinuing, or abandoning of any public highway.

Senate Bill No. 143—An Act authorizing and requiring Boards or Commissions having the management and control of paid police forces to grant the members thereof yearly vacations.

Assembly Joint Resolution No. 4 passed on file.

Also: Senate Joint Resolutions Nos. 4 and 11.

Senate Bill No. 176—An Act to ascertain and express the will of the people of the State of California upon the subject of election of United States Senators.

Senate Bill No. 79—An Act to amend section one thousand two hundred and nine of the Code of Civil Procedure of the State of California, relating to the power of Courts in the matter of punishing contempts of Court.

REQUEST.

Senator Hamill requested that Senate Bill No. 62 be stricken from the file.

So ordered.

FIRST READING OF BILLS—(RESUMED).

The following bills were read first time:

Senate Bill No. 151—An Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State," approved March 14, 1881, as amended by chapter two hundred and sixty-five of the laws of 1889, approved March 19, 1889.

Senate Bill No. 92—An Act to provide penalties for failure to pay tolls, by false returns or otherwise, to Board of State Harbor Commissioners.

Senate Bill No. 169—An Act to create a Board of State Harbor Commissioners for Humboldt Bay, to provide for the appointment of such Commissioners, and to define their duties.

Senate Bill No. 289—An Act to repeal sections two thousand five hundred and sixty-seven, two thousand five hundred and sixty-eight, two thousand five hundred and sixty-nine, two thousand five hundred and seventy, two thousand five hundred and seventy-one, and two thousand five hundred and seventy-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Senate Bill No. 235—An Act fixing the permanent channels of rivers in the State of California, and providing for retaining them in their true channels, and for returning them, when changed, into their true channels, as defined in this Act.

Senate Bill No. 101—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure, relating to witnesses.

Senate Bill No. 199—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

Senate Bill No. 201—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand five hundred and ninety-two, relating to mortgages, by executors, of real property belonging to the estates of decedents.

Senate Bill No. 218—An Act to amend section one thousand four hundred and sixty-eight of the Penal Code, relating to the filing and settlement of statements on appeal from Justice's or Police Courts.

Senate Bill No. 224—An Act to amend sections fifty-eight and seven hundred and ninety-two of the Political Code, so as to authorize the appointment of women as Notaries Public.

Senate Bill No. 225—An Act to amend an Act entitled "An Act for the protection of preëmption and homestead claimants," approved March 23, 1874.

Senate Bill No. 242—An Act to amend section three hundred and seventy-eight of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of the public health and safety, and registration of births, deaths, and marriages.

Senate Bill No. 324—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Senate Bill No. 355—An Act to amend section two thousand and thirty-one of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to the taking of depositions.

Senate Bill No. 356—An Act to amend section nine hundred and thirty-nine of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to appeals.

Senate Bill No. 357—An Act to amend section twenty of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, known as the Insolvent Act of 1880.

Senate Bill No. 384—An Act to increase the number of Judges of the Superior Court of the county of Tulare, and to provide for the appointment of an additional Judge.

Senate Bill No. 182—An Act to amend section four hundred of the Civil Code of the State of California.

Senate Bill No. 231—An Act to amend section six hundred and forty-seven of the Penal Code, relating to vagrants.

Senate Bill No. 296—An Act to add a new section to the Political Code, to be known as section seven hundred and ninety-three, relating to qualifications of Notaries Public.

Senate Bill No. 378—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section two thousand five hundred and eighty-seven, relating to policies of insurance.

Senate Bill No. 159—An Act to amend section one thousand nine hundred and eighteen of the Civil Code, relating to interest.

Senate Bill No. 270—An Act to amend section one thousand two hundred and forty-six of the Penal Code, relating to the cost of appeals in criminal cases.

Senate Bill No. 292—An Act to add a new section to the Penal Code, to be known as section five hundred and thirty-eight, relating to defrauding proprietors and managers of livery, feed, and sale stables.

Senate Bill No. 94—An Act to add a new section to the Civil Code, to be known as section three hundred and twenty-eight, to enforce the provisions of section three of article twelve of the Constitution.

Senate Bill No. 122—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the obligations of coterminous owners and others claiming interest or rights in land, and providing for the construction and maintenance of division fences.

Senate Bill No. 146—An Act to amend section one thousand four hundred and one of the Civil Code, relating to the disposition of community property on the death of the husband or wife, and to repeal section one thousand four hundred and two of said Code.

Senate Bill No. 181—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as section eight hundred and eleven thereof.

Senate Bill No. 183—An Act to amend section eight hundred and nine of the Code of Civil Procedure of the State of California.

Senate Bill No. 184—An Act to amend section two hundred and ninety-two of the Civil Code of the State of California.

Senate Bill No. 185—An Act to amend section five hundred and sixty-five of the Code of Civil Procedure of the State of California.

Senate Bill No. 188—An Act to amend section six hundred and sixteen of the Political Code, relating to insurance companies.

Senate Joint Resolution No. 7 passed on file.

Senate Bill No. 145—An Act for the relief of Cornelius Lynch, for personal injuries received by him while in the service of the State.

Senate Bill No. 335—An Act to appropriate money to pay the claim of William Gutenberger, for the loss of tools and property destroyed at the Branch State Prison at Folsom.

Senate Bill No. 170—An Act making an appropriation to pay the claims of Charles F. Reed, C. E. Grunsky, and J. J. Crawford, for expenses incurred as members of the Examining Commission on Rivers and Harbors.

Senate Bill No. 55—An Act to appropriate money to pay the claim of Enoch N. Strout, for services rendered as Reclamation Land Commissioner, under an Act to provide for the funding of the indebtedness of the reclamation and levee districts of this State, approved March 30, 1872.

Senate Bill No. 250—An Act making an appropriation to pay the claim of William J. Hardy.

Senate Bill No. 52—An Act to provide compensation to G. B. Montgomery, for professional services rendered the State of California at the request of the Attorney-General.

Senator Ostrom moved that Senate Bill No. 126 be taken up and read first time.

So ordered.

Senate Bill No. 126—An Act making appropriations for the purchase of jute machinery and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State.

Senate Bill No. 39—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885,

entitled "An Act to authorize municipal corporations of the fifth class containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State," approved March 19, 1889.

Senate Bill No. 213—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties.

Senate Bill No. 329—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Senate Bill No. 171—An Act to amend subdivision twenty-three of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, which subdivision provides for advertising for bids for stationery for the use of the county and its officers, and provides the method of procuring blank books, job printing, and other supplies necessary for the use of the county and its officers.

Senate Bill No. 73—An Act to amend section four thousand three hundred and seventy-one of the Political Code of the State of California, relative to taxation for municipal purposes.

Senate Bill No. 239—An Act to amend section three thousand and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Boards of Health.

Senate Bill No. 298—An Act to provide for changes of the custody of property and the control of estates upon changes in the office of Public Administrator.

Senate Bill No. 153—An Act to provide fire escapes in hotels.

Senate Bill No. 263—An Act to provide for the painting of portraits of R. W. Waterman and H. H. Markham, and appropriating money therefor.

Senate Bill No. 282—An Act to provide for the appointment of a Board of Sutter's Fort Trustees, and for the acquisition of the Sutter Fort property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Senate Bill No. 295—An Act to provide for the purchase of a portrait of ex-Governor Waterman by the State Board of Examiners, and to appropriate money therefor.

Senate Bill No. 306—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the laws for the preservation of fish, for the forty-second fiscal year.

Senate Bill No. 316—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of the State Engineer, for the fortieth, forty-first, and forty-second fiscal years.

Senate Bill No. 303—An Act making an appropriation to pay the deficiency in the appropriation for stationery, supplies, fuel, and lights for the Legislature and State offices, for the fortieth fiscal year.

Senate Bill No. 304—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year.

Senate Bill No. 305—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the law for the preservation of fish, for the thirty-ninth, fortieth, and forty-first fiscal years.

Senate Bill No. 307—An Act making an appropriation to pay the deficiency in the appropriation for arrest of criminals without the limits of the State, for the fortieth fiscal year.

Senate Bill No. 308—An Act making an appropriation to pay the deficiency in the appropriation for repairs to State Capitol building and furniture, for the forty-first fiscal year.

Senate Bill No. 310—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General, for the fortieth fiscal year.

Senate Bill No. 311—An Act making an appropriation to pay the deficiency in the appropriation for postage and expressage of the Supreme Court, for the fortieth fiscal year.

Senate Bill No. 312—An Act making an appropriation to pay the deficiency in the appropriation for the improvement of State Capitol grounds, for the forty-second fiscal year.

Senate Bill No. 313—An Act making an appropriation to pay the deficiency in the appropriation for construction of granite steps in State Capitol grounds, for the forty-first and forty-second fiscal years.

Senate Bill No. 314—An Act making an appropriation to pay the deficiency in the appropriation for salary of Commissioner of Bureau of Labor Statistics, for the fortieth fiscal year.

Senate Bill No. 315—An Act making an appropriation to pay the deficiency in the appropriation for salary of Deputy Commissioner of the Bureau of Labor Statistics, for the fortieth fiscal year.

Senate Bill No. 317—An Act making an appropriation to pay the deficiency in the appropriation for support of Insane Asylum at Stockton, for the fortieth fiscal year.

Senate Bill No. 318—An Act making an appropriation to pay the deficiency in the appropriation for the payment of claims incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Senate Bill No. 319—An Act making an appropriation to pay the deficiency in the appropriation for fuel, lights, postage, and incidental expenses of the Board of Railroad Commissioners, for the fortieth fiscal year.

Senate Bill No. 320—An Act making an appropriation to pay the deficiency in the appropriation for use of library at State Normal School at San José, for the thirty-eighth fiscal year.

Senate Bill No. 321—An Act making an appropriation to pay the deficiency in the appropriation for the use of the State Board of Forestry, for the thirty-eighth fiscal year.

Senate Bill No. 322—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of ballot paper, for the forty-second fiscal year.

Senate Bill No. 323—An Act making an appropriation to pay the deficiency in the appropriation for contingent expenses of Commissioner of Bureau of Labor Statistics, for the fortieth, forty-first, and forty-second fiscal years.

Senate Bill No. 97—An Act to add a new section to the Penal Code,

to be known and numbered as section three hundred and nineteen, relating to the renting of property for immoral purposes.

Senate Bill No. 376—An Act to amend section one thousand five hundred and ninety-three of the Political Code, relating to the time of election for School Trustees.

Senate Bill No. 326—An Act to amend an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor," approved March 15, 1887.

Senate Bill No. 346—An Act to appropriate the sum of three thousand one hundred dollars to purchase adjacent lands at San Quentin for the use of the State Prison, together with the improvements thereon.

Senate Bill No. 433—An Act for the relief of Peter Connolly, his assigns or legal representatives.

Senate Bill No. 325—An Act to provide for the redemption of property which has been heretofore sold to irrigation districts for delinquent assessments.

Senate Bill No. 106—An Act to create a State Association of Irrigation Districts, and to provide for the creation of a State Board of Irrigation to manage and conduct the affairs of the same, and to define the powers and prescribe the duties of such association and of such Board, and to appropriate money in support thereof.

Senate Bill No. 374—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections one, two, three, four, eleven, twelve, thirty-five, and forty-two thereof, relating to irrigation districts.

Senate Bill No. 257—An Act to amend section two thousand six hundred and eighty-six of the Political Code of the State of California, in relation to the contents of the reports of viewers appointed for the purpose of viewing any highway proposed to be altered, laid out, constructed, discontinued, or abandoned.

Senate Bill No. 373—An Act to amend section one of an Act approved March 30, 1878, entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," as amended and approved March 10, 1887.

Senate Bill No. 391—An Act to provide for the payment of the Controller of State's warrants which have been lost or destroyed previous to payment by the State Treasurer.

Senate Bill No. 283—An Act to amend sections one thousand nine hundred and fifteen and one thousand nine hundred and seventeen of the Civil Code, relative to the legal rate of interest, and providing a penalty for usury, and to repeal section one thousand nine hundred and eighteen of said Code.

Senate Bill No. 42—An Act to amend an Act entitled "An Act to amend section three thousand four hundred and eighty-eight of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to make sections three thousand four hundred and forty-six, three thousand four hundred and forty-seven, three thousand four hundred and forty-nine, three thousand four hundred and fifty, three thousand four hundred and fifty-two, three thousand four hundred and fifty-three,

three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-seven, three thousand four hundred and fifty-nine, three thousand four hundred and sixty, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-three, three thousand four hundred and sixty-five, three thousand four hundred and sixty-six, three thousand four hundred and sixty-seven, three thousand four hundred and sixty-eight, three thousand four hundred and seventy-one, three thousand four hundred and seventy-two, and three thousand four hundred and seventy-three of said Political Code, relating to the reclamation of certain lands within certain municipalities," approved March 19, 1889.

Senate Bill No. 284—An Act to amend section one thousand three hundred and forty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, authorizing certain corporations to act as executor, and in other capacities.

Senate Bill No. 152—An Act to regulate the heating of steam passenger cars, and to provide for the placing of guards and guard-posts on railroad bridges and trestles and the approaches thereto.

Senate Bill No. 233—An Act to declare arrangements, contracts, agreements, trusts, or combinations in restraint of trade and production unlawful, and to fix the penalty therefor.

Senate Bill No. 86—An Act relating to life and casualty and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Senate Bill No. 223—An Act to amend sections two hundred and eighty-six, three hundred and fifty-four, and three hundred and sixty of the Civil Code, relating to the powers of corporations.

Senate Bill No. 226—An Act to add an additional section to the Civil Code, to be numbered and known as section five hundred and fifty-three, relating to water and canal corporations.

Senate Bill No. 340—An Act to repeal title sixteen of part four, division one, of the Civil Code, and to substitute a new title in place thereof, providing for the formation and government of mutual building and loan associations.

Senate Bill No. 353—An Act to provide for furnishing assistants to every attorney and counselor, City Attorney, and City and County Attorney, and to each law officer, by whatever official name he may be designated, officially conducting the civil litigation of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated as officers of each city, or city and county, and establishing the compensation and prescribing the duties of such assistants.

Senate Bill No. 454—An Act to amend section two hundred and fifty-six of the Political Code of the State of California, to provide for the printing of the daily Journal of each house of the Legislature, and to repeal section two hundred and fifty-seven of said Code.

Senate Bill No. 455—An Act adding a new section to the Political Code of the State of California, to be known and designated as section five hundred and thirty-nine, relative to the engrossment and enrollment of bills and other documents, and repealing sections two hundred and forty-eight and two hundred and forty-nine of said Code.

Assembly Bill No. 60—An Act to add two new sections to article five, of chapter eleven, of title eleven, of part three, of the Code of Civil Procedure of California, to be designated as sections one thousand seven hundred and two and one thousand seven hundred and three, and relating to the declination of testamentary trustees and the appointment of persons to fill vacancies resulting from such declination or otherwise.

Senate Bill No. 124—An Act to amend section one hundred and three of the Code of Civil Procedure, relating to Justice's Courts.

Senate Bill No. 288—An Act to amend section one thousand nine hundred and sixty-two of the Code of Civil Procedure of California, to be known as subdivision eight, relating to what are deemed conclusive presumptions.

Assembly Bill No. 121—An Act to repeal an Act entitled "An Act to declare the Klamath River navigable."

Senate Bill No. 432—An Act fixing a bounty on coyote scalps.

Senate Bill No. 198—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes.

Senate Bill No. 396—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Senate Bill No. 272—An Act fixing the rate of tare on baled hops.

Senate Joint Resolution No. 4 passed on file.

Senate Bill No. 377—An Act to prevent the use of substitute for hops, or pure extract of hops, in the manufacture of ale or beer sold or offered for sale in this State.

Senate Bill No. 398—An Act to prohibit the adulteration of beer and other malt liquors.

Senate Bill No. 349—An Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State," approved March 14, 1881, as amended by chapter two hundred and sixty-five of the laws of 1889, approved March 19, 1889.

Senate Joint Resolutions Nos. 5 and 6 passed on file.

Senate Bill No. 142—An Act to add a new section to the Penal Code, relative to the prohibition and prevention of the use of all acids or solution of acids in the manufacture of hermetically sealed tin cans used for canning purposes, to be known as section two hundred and forty-six.

Senate Bill No. 163—An Act to authorize Boards of Health and Health Officers in cities, and cities and counties, in this State to appoint Inspectors of Plumbing and Drainage in such cities, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

Senate Bill No. 406—An Act to provide for a State Board of Charities and Correction, defining its powers and duties, and appropriating money therefor; also, prescribing the duties of State, county, and municipal officers in connection therewith.

Senate Bill No. 254—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Senate Bill No. 341—An Act to amend section three of an Act to regulate contracts on behalf of the State, in relation to erections and buildings, approved March 23, 1876.

Senate Bill No. 261—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes.

Senate Bill No. 28—An Act to provide for the organization and

government of levee districts created for the protection of lands from overflow of innavigable streams of water, and to confine innavigable running streams to a fixed channel.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Senator De Long: Senate Bill No. 523—An Act releasing to Jesse B. Hart and his assigns certain lands in San Francisco, and authorizing the Governor to make conveyances therefor.

Referred to Committee on Judiciary.

By Senator Mahoney: Senate Bill No. 524—An Act to add a new section to chapter eleven, title nine, of part one of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872.

Referred to Committee on Corporations.

Also: Senate Bill No. 525—An Act to amend section five hundred and forty-nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations formed to supply water.

Referred to Committee on Corporations.

By Senator McGowan: Senate Bill No. 526—An Act providing for the appointment of a Commissioner to make arrangements for the proper reception of the American Library Association, and appropriating money to defray the expenses thereof.

Referred to Committee on State Library and Rules.

Also: Senate Bill No. 527—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889.

Referred to Committee on City, City and County, and Town Governments.

VOTE OF THANKS.

On motion of Senator Goucher, Assistant Secretary Boatman was tendered the thanks of the Senate for the efficient manner in which he disposed of the Senate file of first reading of bills.

ADJOURNMENT.

On motion of Senator Goucher, the President declared the Senate adjourned at three o'clock and thirty minutes P. M.

IN SENATE.

SENATE CHAMBER,
Monday, February 2, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

The following Senators attending to committee work were excused from roll call:

Messrs. Berry, Britt, Flint, Campbell of Solano, Goucher, and De Long.

PRAYER.

Prayer by the Rev. A. T. Needham.

READING OF JOURNAL.

Journal of Saturday read and approved.

PETITIONS.

By Senator Ostrom: Petitions from Stockton, Hollister, Santa Rosa, and Petaluma relative to the establishment of mutual insurance companies.

Read and referred to Committee on Corporations.

REPORT OF STANDING COMMITTEE.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 2, 1891.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 44—Relating to an Act to provide for certain improvements at the Folsom State Prison, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PRESTON, Chairman.

SPECIAL ORDER.

This being the hour set aside for the consideration of the Governor's message of January twenty-ninth, the following message was taken up and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 29, 1891.

To the honorable Senate of the State of California:

I hereby nominate Charles F. Bassett, of the City and County of San Francisco, to the office of State Harbor Commissioner, to succeed William D. English, whose term expires March 12, 1891, and request your consent to the appointment.

H. H. MARKHAM, Governor.

Senator Carpenter moved that the Senate advise and consent to the appointment.

The roll was called, and the appointment was confirmed by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—30.

NOES—None.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Langford: Senate Bill No. 528—An Act to pay the claim of John Mullan, for services rendered in collecting from the United States money due the State of California on account of Indian War claims.

Referred to Committee on Finance.

By Senator Heacock: Senate Bill No. 529—An Act to amend section three thousand five hundred and fifty-five of the Political Code.

Referred to Committee on Finance.

By Senator Banks (by request): Senate Bill No. 530—An Act to provide for payment for private property heretofore taken for public use.

Referred to Committee on City, City and County, and Town Governments.

By Senator Carpenter: Senate Bill No. 531—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Referred to Committee on Judiciary.

Also (by request): Senate Bill No. 532—An Act for the protection of policy holders in fire insurance companies.

Referred to Committee on Corporations.

Also: Senate Bill No. 533—An Act to amend section fifty-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to county officers.

Referred to Committee on Judiciary.

Also: Senate Bill No. 534—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered section five hundred and ninety-three, relating to roads and highways.

Referred to Committee on Roads and Highways.

Also: Senate Bill No. 535—An Act to amend section two hundred and forty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to Grand Juries.

Referred to Committee on Judiciary.

By Senator Crandall: Senate Bill No. 536—An Act to encourage coöperation, and to provide for the formation of associations for the purpose of conducting any lawful business and dividing the profits among the members thereof.

Referred to Committee on Labor and Capital.

By Senator Carpenter: Senate Bill No. 537—An Act to amend section fifty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to the appellate jurisdiction of the Supreme Court.

Referred to Committee on Judiciary.

Also: Senate Bill No. 538—An Act to amend section one thousand two hundred and forty-three of an Act entitled "An Act to establish a Penal Code," approved April 14, A. D. 1872, in relation to appeals.

Referred to Committee on Judiciary.

By Senator De Long: Senate Bill No. 539—An Act to amend section three hundred and twenty-four of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the transfer of stock.

Referred to Committee on Judiciary.

CONSTITUTIONAL AMENDMENT.

By Senator Heacock: Constitutional Amendment No. 17—Relative to trial by jury and the verdict of such jury.

Referred to Committee on Constitutional Amendments and Banks and Banking.

SENATE JOINT RESOLUTION.

By Senator Heacock: Senate Joint Resolution No. 15—Relative to the absolute prohibition of the importation of prepared opium.

Referred to Committee on Federal Relations and Immigration.

RESOLUTIONS—(OUT OF ORDER).

By Senator Dray:

WHEREAS, The Senate Pages have formed an association, to be known as "The Association of Senate Pages."

Resolved, That they be allowed the use of room number fifty-five on the Wednesdays and Saturdays of each week, from nine o'clock and thirty minutes A. M. until ten o'clock and thirty minutes A. M., until the end of the session, provided the room is not in use by some committee.

Adopted.

By Senator Denison:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to have sofa and chairs renovated and repaired, and to purchase towel rack and comb case for the Lieutenant-Governor's room, the same to be paid out of the fund for contingent expenses of the Senate, and the Controller is hereby directed to draw his warrant for the same at a cost not to exceed seventy-five dollars.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

SPECIAL FILE.

Senator McGowan moved that Senate Bill No. 128 be passed on file.

So ordered.

Senator Preston moved that Senate Constitutional Amendment No. 3 be passed on file.

So ordered.

Senator Dray moved that Senate Constitutional Amendment No. 7 be passed on file.

So ordered.

Senator Preston moved that Senate Bill No. 231 be passed on file.

So ordered.

Senator Dray moved that Senate Constitutional Amendment No. 5 be passed.

So ordered.

THIRD READING OF BILLS.

Senator Banks moved that Senate Bill No. 148 be passed.

So ordered.

Senator Maher moved that Senate Bill No. 91 be passed.

So ordered.

Senate Bill No. 72—An Act regulating the form of requisitions for stationery made by the members of the Legislature, and the officers and employés thereof, upon the Secretary of State.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Everett, Fraser, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Preston, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—28.

NOES—None.

Title read and approved.

Senate Bill No. 83—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Bill read third time, and passed by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—32.

NOES—None.

Title read and approved.

Senator W. H. Williams moved that Senate Bill No. 6 be passed on file.

Senator Sprague moved to amend by making the bill a special order for Friday, at three o'clock P. M.

Senator Williams accepted the amendment of Senator Sprague.

Senator Ostrom moved as an amendment that it be made a special order for to-morrow, at two o'clock and thirty minutes P. M.

Senator Dray moved as a substitute that the bill be referred to the Committee on Judiciary.

Senator Ostrom raised a point of order that such an amendment could not be made at this time.

The Chair decided that the point of order was not well taken.

Senator Dray then withdrew his motion, in consideration that Senator Ostrom agreed to amend his motion so as to make the special order Wednesday at two o'clock and thirty minutes P. M. instead of to-morrow.

The ayes and noes were demanded by Senators Sprague, Flint, and Fraser, and Senator Ostrom's amendment was lost by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Crandall, Fraser, Goucher, Harp, Langford, Mead, Ostrom, Shippee, and Wilson—12.

NOES—Messrs. Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Hamill, Maher, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.

The motion of Senator Sprague was then adopted, and the consideration of the bill was made a special order for Friday, at three o'clock P. M.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Senator W. H. Williams: Senate Bill No. 540—An Act requiring foreign insurance companies doing business in this State to pay two per cent of the gross premiums collected into City, or City and County Treasuries.

Referred to Committee on Judiciary.

Also: Senate Bill No. 541—An Act to amend section six hundred and sixteen of the Political Code, relative to foreign corporations and the conditions on which they may transact business in this State.

Referred to Committee on Judiciary.

Also: Senate Bill No. 542—An Act to amend sections two thousand six hundred and thirty-eight and two thousand five hundred and ninety-six of the Civil Code, relative to insurance policies.

Referred to Committee on Judiciary.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 9—An Act to provide for the payment of the repairs upon the quarantine launch "Governor Perkins."

Bill read third time, and passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Brynes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denson, Everett, Flint, Fraser, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—31.

NOES—None.

Title read and approved.

SECOND READING OF BILLS.

Senator Mahoney moved that Senate Bill No. 90 be passed, and retain its place on file.

So ordered.

Senate Bill No. 172—An Act to appropriate the sum of four hundred and fifty-eight dollars and sixty-five cents, to pay the claim of William H. Murphy, for money illegally paid the State of California.

The following committee amendment was adopted:

Amend by adding the following words at the end of section three: "and the Treasurer is hereby ordered to pay the same."

Bill as amended ordered engrossed and on file for a third reading.

Senate Bill No. 209—An Act entitled "An Act to appropriate moneys to pay the claim of George Fetherstone, for services rendered in the office of Treasurer of State."

Bill read second time, ordered engrossed and on file for a third reading.

Senate Bill No. 54—An Act to appropriate money to pay the claim of George J. Mothersole, for labor performed and expenses incurred in roofing the Napa State Asylum for the Insane, under a written contract.

The following committee amendments were submitted:

Amend by striking out the words "fifteen hundred and sixteen

dollars and fifty-nine cents," in lines one and two of section one, and insert in lieu thereof the words "thirteen hundred dollars."

Adopted.

Add at end of section one the following words: "*provided*, the said George J. Mothersole shall accept the sum of one thousand three hundred dollars in full payment, satisfaction, and discharge of all claims against the State, growing out of said contract."

Adopted.

Amend the bill by making section two section three, and inserting a section to be numbered section two, to read as follows:

"Section 2. The provisions of section six hundred and seventy-two of the Political Code of this State are hereby declared non-applicable to the provisions of this statute."

Adopted.

Bill read second time, and ordered engrossed and on file for third reading.

Senate Bill No. 88—An Act to pay the claim of James W. Rankin, for services in the office of the State Treasurer of California, and appropriate money therefor.

Bill read second time, and ordered engrossed and on file for third reading.

Senate Bill No. 12—An Act repealing an Act declaring the Klamath River navigable.

Senator Campbell moved that Senate Bill No. 12 be passed, and retain its place on file.

So ordered.

Assembly Bill No. 22—An Act to amend section one thousand two hundred and nine of the Code of Civil Procedure of California, relating to the power of Courts in the matter of punishing contempts of Court.

Senator Crandall moved to amend section one, line thirty-four, by striking out the word "and," and inserting in lieu thereof the word "or."

The ayes and noes were demanded by Senators McGowan, Broderick, and Maher, and the amendment lost by the following vote:

AYES—Messrs. Bailey, Britt, Campbell of Siskiyou, Carpenter, and Crandall—5.

NOES—Messrs. Banks, Berry, Broderick, Byrnes, Campbell of Solano, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—32.

Bill ordered engrossed and on file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 2, 1891.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bills Nos. 469 and 428—have had the same under consideration, and respectfully report the same back with recommendation that they do pass as amended by the committee.

Also: Senate Bills No. 195 and 470—have had the same under consideration, and respectfully recommend that they do pass.

Also: Senate Bill No. 275—have had the same under consideration, and respectfully recommend that it be referred to the Senate Committee on Counties, County Government, and Township Organization.

DARGIE, Chairman.

THIRD READING OF BILLS—(RESUMED).

Senator De Long moved that the Senate now consider Senate Bill No. 91.

So ordered.

Senate Bill No. 91—An Act to provide for the issuance and sale of State bonds, to create a fund for the construction and furnishing by the Board of State Harbor Commissioners of a general ferry and passenger depot in the city and county of San Francisco, to create a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people.

On motion of Senator Voorhies, Senator De Long was appointed a committee of one to make the following amendment:

Amend by striking out of section one, line nine, the words "in the denomination of one thousand dollars each," and inserting the following, in line nine of printed bill, after the word "California:" "one thousand bonds in the denomination of one hundred dollars each, five hundred bonds in the denomination of five hundred dollars each, two hundred and fifty bonds in the denomination of one thousand dollars each."

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 2, 1891.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 91, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per your instructions.

DE LONG, Committee.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 2, 1891.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 32 and 301.

H. H. MARKHAM, Governor.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 2, 1891.

MR. PRESIDENT: Your Committee on Engrossment beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 45—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Senate Bill No. 215—An Act to authorize the Board of Fish Commissioners of this State to purchase the land on which the State fish hatcheries at Sisson and Lake Tahoe are now situated, and appropriating money therefor.

RAGSDALE, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, February 2, 1891.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bills Nos. 399 and 456—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

McGOWAN, Chairman.

ADJOURNMENT.

On motion of Senator Mahoney, the Senate stood adjourned at four o'clock and fifty minutes P. M.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 3, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by Rev. A. T. Needham.

READING OF THE JOURNAL.

Journal of yesterday read, corrected, and approved.

LEAVE OF ABSENCE.

Senator Seawell was granted a leave of absence during the day on account of sickness.

Senator Hamill was granted a leave of absence for the day.

REPORT OF SAN FRANCISCO DELEGATION.

SENATE CHAMBER, SACRAMENTO, February 3, 1891.

MR. PRESIDENT: The San Francisco Delegation, to whom was referred Senate Bill No. 62—An Act for the relief of Patrick Creighton—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAHER, Chairman.

REPORTS OF STANDING COMMITTEES.

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, February 2, 1891.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Senate Bill No. 463—An Act to establish a naval battalion, to be attached to the National Guard of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 471—An Act expressing assent of the State of California to the Act of Congress approved August 30, 1890, entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges

for the benefit of agriculture and the mechanic arts, established under the provisions of an Act of Congress approved July, 1862, and to the purposes of the grants of moneys authorized thereby, and to all the provisions thereof--have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. H. WILLIAMS, Chairman.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 3, 1891.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 248 -An Act to appropriate the sum of eighty thousand dollars for the building of a medical college in the City and County of San Francisco, to be a part of the University of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SIMPSON, Chairman.

PETITION.

By Senator Ostrom: A petition from the citizens of Florin, asking legislation that will permit of mutual insurance companies.

Referred to Committee on Corporations.

MESSAGES FROM THE ASSEMBLY.

The following Assembly messages were read:

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 214—An Act to amend section eight hundred and seventy-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 215—An Act to amend section seven hundred and seventy-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 16—An Act to prevent the sale of intoxicating liquors to minor children.

Also: Assembly Bill No. 51—An Act relating to District Attorneys, their assistants and clerks, in counties, and cities and counties, having a population of more than one hundred and twenty-five thousand.

H. A. MASON, Chief Clerk.
By ED. J. SMITH, Assistant Clerk.

Assembly Bill No. 214 referred to Committee on Judiciary.

Assembly Bill No. 215 referred to Committee on Judiciary.

Assembly Bill No. 16 referred to Committee on Education and Public Morals.

Assembly Bill No. 51 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted by a constitutional majority Senate Constitutional Amendment No. 10:

SENATE CONSTITUTIONAL AMENDMENT No. 10.

An Act to submit to the people of the State of California an amendment to section two, article four, of the Constitution of the State of California.

The Legislature of the State of California, at its twenty-ninth session, commencing on the fifth day of January, A. D. eighteen hundred and ninety-one, two thirds of all the members elected to each House of said Legislature voting in favor thereof, hereby propose that section two, of article four (Legislative Department), of the Constitution of the State of California, be amended so as to read as follows:

ARTICLE IV.

SECTION 2. The sessions of the Legislature shall commence at twelve o'clock M., on the first Monday after the first day of January next succeeding the election of its members, and shall be biennial, unless the Governor shall, in the interim, convene the Legislature by proclamation. No pay shall be allowed to members for a longer period

than one hundred days, and no bills shall be introduced in either House after the expiration of sixty days from the commencement of each session, without the consent of two thirds of the members thereof.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Culver, Cunningham, Daly, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Johnson, Kellogg, Lacey, Lowe, Lux, Marion, Martin, Mathews, McCall, Murnan, Phillips, Rice, Robertson, Shanahan, Smith of Orange, Stabler, Tennis, Wentworth, Weston, and Young—59.

NOES—Messrs. Hail, Jackson, Mordecai, Renfro, and Mr. Speaker—5.

H. A. MASON, Chief Clerk.
ED. J. SMITH, Assistant Clerk.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Ragsdale: Senate Bill No. 543—An Act entitled "An Act for the relief of the widow of Albert P. Crigler."

Referred to Committee on Claims.

By Senator Simpson: Senate Bill No. 544—An Act to abolish the office of Justice of the Peace in and for every municipal corporation, in the State of California, having a population of twenty thousand inhabitants.

Referred to Committee on Judiciary.

By Senator Crandall: Senate Bill No. 545—An Act to define the duties of, and to license land surveyors.

Referred to Committee on Roads and Highways.

By Senator Ostrom: Senate Bill No. 546—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll tax.

Referred to Committee on Roads and Highways.

By Senator Streeter: Senate Bill No. 547—An Act to amend section three hundred and thirty-five of the Political Code.

Referred to Committee on Public Printing.

Also: Senate Bill No. 548—An Act to amend sections three hundred and thirty-two, three hundred and thirty-three, and three hundred and thirty-four of the Political Code.

Referred to Committee on Public Printing.

SENATE CONSTITUTIONAL AMENDMENT.

By Senator Ragsdale: Senate Constitutional Amendment No. 18—A resolution to propose an amendment to and providing for the repeal of sections nine and ten of article thirteen of the Constitution, relative to a Board of Railroad Commissioners.

Referred to Committee on Constitutional Amendments.

SPECIAL FILE.

On motion of Senator Ragsdale, Senate Bill No. 128 was passed on file.

On motion of Senator Broderick, Senate Constitutional Amendment No. 3 was passed on file.

On motion of Senator Voorhies, Senate Constitutional Amendment No. 7 was passed on file.

Senate Bill No. 331—An Act appropriating eighteen thousand three hundred and forty-five dollars for the payment of the salaries of the members and officers of the Board of State Harbor Commissioners for the Bay of San Diego, up to July 1, 1891.

Bill read first time.

On motion of Senator Campbell of Siskiyou, Senate Constitutional Amendment No. 5 was passed on file.

THIRD READING OF BILLS.

Senate Bill No. 148—An Act to provide for the construction and furnishing of a kitchen and dining-room at the Napa State Asylum for the Insane, and making an appropriation therefor.

Senator De Long moved that the bill be referred to Committee on Public Buildings other than Prison Buildings, to ascertain if the amount proposed to be appropriated can with propriety be reduced, and that the bill retain its place on file.

So ordered.

Senate Bill No. 45—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Senator G. H. Williams moved that the bill be referred to a special committee of one, consisting of Senator Britt, with instructions to amend by striking out of line seven, printed bill, the words "wheel of fortune."

Ayes and noes were demanded by Senators Preston, Ostrom, and Campbell of Siskiyou.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Harp, Langford, Maher, McComas, McGowan, Mead, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—Messrs. Berry, Carpenter, Crandall, Goucher, Heacock, Ostrom, Preston, and Wilson—8.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 3, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 45, to amend, has had the same under consideration, and respectfully report the same back, amended, as per your instructions.

BRITT, Chairman.

On the question of the adoption of the amendment, the ayes and noes were demanded by Senators Crandall, Ostrom, and Campbell of Siskiyou.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Dargie, De Long, Denison, Dray, Everett, Flint, Harp, Langford, Maher, McGowan, Mead, Ragsdale, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—23.

NOES—Messrs. Berry, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Fraser, Heacock, Ostrom, Preston, and Wilson—10.

MOTION.

Senator Heacock moved that the bill be printed and retain its place on file.

So ordered.

Senate Bill No. 215—An Act to authorize the Board of Fish Commissioners of this State to purchase the land on which the State fish hatcheries at Sisson and Lake Tahoe are now situated, and appropriating money therefor.

Bill read third time, and finally passed by the following vote:

Ayes—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Langford, Maher, McComas, McGowan, Simpson, Sprague, Streeter, Welch, and Williams (Wm. H.)—25.
Noes—Messrs. Mead, Ostrom, and Wilson—3.

Title read and approved.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

Senate Chamber, Sacramento, February 3, 1891.

Mr. President: Your Committee on Judiciary, to whom was referred Senate Bill No. 417—An Act to validate and make legal acknowledgments, affidavits, and oaths made before and taken by any person acting as a Notary Public, under appointment by the Governor of the State of California, in certain cases, and to validate and make legal all the acts and transactions of such person while acting as such Notary Public.

Also: Senate Bill No. 431—An Act to amend sections one thousand two hundred and seventeen, one thousand two hundred and twenty, one thousand two hundred and twenty-one, one thousand two hundred and twenty-three, one thousand two hundred and twenty-four, one thousand two hundred and twenty-five, one thousand two hundred and twenty-six, one thousand two hundred and twenty-seven, one thousand two hundred and twenty-nine, and one thousand two hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to execution of judgment of death.

Also: Senate Bill No. 276—An Act to repeal section three thousand eight hundred and eighteen of the Political Code, relating to preferred purchasers for lands sold to the State for taxes.

Also: Assembly Bill No. 51—An Act relating to District Attorneys, their assistants and clerks, in counties, and cities and counties, having a population of more than one hundred and twenty-five thousand.

Also: Senate Bill No. 480—An Act to amend section one thousand three hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a married woman as administratrix of an estate of a deceased person.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 200—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuation of administration upon the estates of deceased persons—respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 144—An Act to repeal section three hundred and thirty-seven of the Penal Code—respectfully report the same back, and recommend that it do not pass.

SPRAGUE, Chairman.

ON COMMERCE AND NAVIGATION.

Senate Chamber, Sacramento, February 3, 1891.

Mr. President: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 141—An Act to amend sections two thousand four hundred and fifty-seven, two thousand four hundred and sixty-four, two thousand four hundred and sixty-five, and two thousand four hundred and sixty-six of the Political Code, relating to pilots and pilot regulations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 260—An Act to amend section two thousand four hundred and sixty-seven of the Political Code, relating to charges for towage—respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 390—An Act making an appropriation for the construction of a seawall thoroughfare and piers, in the harbor of San Diego—which bill the committee respectfully request be referred to the Senate Finance Committee, as belonging properly to that committee. The Committee on Commerce and Navigation, seeing the importance of this bill, does hereby recommend the same to the favorable consideration of the Finance Committee, at the same time calling the attention of the members of that committee to the fact that during the forty years' existence of the State of California, not

one cent has ever been given by the State to any institution within the county of San Diego, and that for the year eighteen hundred and eighty-eight, said county paid into the State Treasury the sum of five hundred and eight thousand five hundred and seventy-nine dollars, and in eighteen hundred and eighty-nine the further sum of five hundred and sixty-seven thousand one hundred and thirteen dollars.

MAHONEY, Chairman.

Senate Bill No. 390 referred to Committee on Finance.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 22—An Act to amend section one thousand two hundred and nine of the Code of Civil Procedure of California, relating to the power of Courts in the matter of punishing contempts of Court.

Bill read third time.

CALL OF THE SENATE.

Senator McGowan moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Goucher, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Absent by leave—Senators Hamill and Seawell.

Senator Ostrom moved that further proceedings under call of the Senate be dispensed with.

So ordered.

Senator Maher moved that the hour for recess be extended until the matter in hand be disposed of.

So ordered.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Banks, Berry, Broderick, Byrnes, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Everett, Goucher, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—30.

NOES—Messrs. Bailey, Britt, Campbell of Solano, Carpenter, Flint, and Sprague—6.

Title read and approved.

LEAVE OF ABSENCE.

Senator Goucher requested that he be given a leave of absence for the remaining part of this day, to-morrow, and the day following.

Granted.

RECESS.

At twelve o'clock M. the President declared the Senate at recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

MOTION.

Senator Simpson moved that Senate Bills Nos. 507 and 508 have their reference to committees transposed, and that the bills be reprinted.

So ordered.

SPECIAL ORDER.

The hour set for the consideration of Senate Constitutional Amendment No. 8 having arrived, Senator Heacock moved that its consideration be postponed, and that it be made a special order for February 6, 1891, at two o'clock and thirty minutes P. M.

Senator Ostrom moved to amend by making the time February 5, 1891, at two o'clock and thirty minutes P. M.

Amendment accepted by Senator Heacock, and his motion, as amended, carried.

SECOND READING OF BILLS.

On motion of Senator Campbell of Siskiyou, Senate Bill No. 12 was passed on file.

Senate Bill No. 240—An Act to amend sections three thousand and seventy-seven, three thousand and seventy-eight, three thousand and eighty, and three thousand and eighty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the registry of births, deaths, and marriages.

The following committee amendments were submitted:

In section one, line six, insert the word "county" in lieu of "country;" in line seven, strike out the following words: "when of accidents."

Adopted.

In section four, line four, strike out the word "of" after the word "penalty," and insert the words "not to exceed."

Adopted.

Bill ordered engrossed and on file for third reading.

Senate Bill No. 241—An Act to appropriate money for the erection of a State Hospital for Lepers.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 256—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 108—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as section three hundred and eight, relative to the sale or furnishing of tobacco or preparations thereof to persons under sixteen years of age.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 115—An Act to authorize the Adjutant-General to issue

arms and accouterments to regularly organized Camps of the Order of Sons of Veterans, in the State of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 117—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service and upon the public works of the State of California, of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 149—An Act to amend section seven hundred and ninety-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read second time, ordered engrossed and on file for third reading.

Assembly Bill No. 211—An Act to increase the police force of the various cities, and cities and counties, of the State, and to provide for the appointment of such extra police officers and for the payment of their salaries.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 139—An Act to provide for the levy and collection of taxes by and for school districts, except in municipal corporations of the first class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 75—An Act to add a new section to the Political Code, to be known and designated as section four thousand three hundred and thirty-four, relating to the duties of officers.

Committee substitute read, and on motion of Senator Heacock was adopted.

Committee Substitute for Senate Bill No. 75—An Act to add a new section to the Political Code of the State of California, to be known and designated as section four thousand three hundred and thirty-four, relating to the duties of officers.

Substitute read second time, ordered engrossed and on file for third reading.

Senate Bill No. 69—An Act to amend section one thousand three hundred and twenty-nine of the Penal Code of the State of California, relative to the payment of the necessary expenses of witnesses in criminal cases.

The following committee amendments were submitted:

Amend section one by inserting in line five of printed bill, after the word "case," the words "prosecuted in the name of the State of California."

Adopted.

Amend section one by striking out all after the word "undertaking" in line six, and insert in lieu thereof, "such person shall be entitled to receive his actual traveling expenses, not exceeding two dollars per day, to be audited and paid out of the County Treasury in the same manner as other claims against the county are audited and paid."

Lost.

The following amendments were submitted by Senator Heacock:

Amend by inserting after word "Court," in line six of printed bill, the words "or magistrate."

Adopted.

Also: Amend by inserting after word "trial," in line six of printed bill, the words "or examination."

Adopted.

Also: Amend by inserting after word "Judge," in line seven of printed bill, the words "or magistrate."

Adopted.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 118—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

The following amendments were submitted by Senator Crandall:

Amend as follows: In line three, after the word "except," insert the word "in;" and after the word "Court," in line four, insert the words "in any township or city in this State of more than ten thousand inhabitants;" and strike out the word "Supreme," in line five, and insert in lieu thereof the word "Superior;" also, strike out section two.

Adopted.

By committee: After the word "procedure" in the title, insert the words "of the State of California."

Adopted.

Bill read second time, ordered engrossed and on file for third reading.

Hon. Thos. Fraser, President pro tem. of the Senate, in the chair.

Senate Bill No. 74—An Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire.

Senator Heacock submitted the following amendment:

Amend by striking out of section one, line one, the word "State," and insert the following: "except buildings composed of wood and their contents."

Adopted.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 130—An Act to authorize and direct the sale of the site and buildings of the California Home for the Care and Training of Feeble-Minded Children, in Santa Clara County.

The following amendments were submitted:

Amend by inserting after the word "cash," in line eight, of section one, the words "to the highest bidder after advertisement of sale for a period of thirty days, said advertisement to appear in one daily paper in San Francisco, and one daily paper in San José."

Adopted.

By Senator Crandall:

Strike out all of section two.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 104—An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes.

Bill read second time, ordered engrossed and on file for third reading.

LEAVE OF ABSENCE.

On motion of Senator Campbell of Solano, leave of absence for the day, on account of sickness, was granted Senator Strecter.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 136—An Act to amend section seven hundred and ninety-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 165—An Act to add two new sections to chapter eleven of the Penal Code, to be known and numbered as sections three hundred and thirty-seven and three hundred and thirty-eight, relative to the selling of pools on horse races.

The committee substitute was submitted and read.

Senator Heacock moved that the consideration of the bill be postponed, that the substitute be printed, and that the bill retain its place on file.

So ordered.

Senate Bill No. 278—An Act to prohibit the sale of intoxicating liquors within one mile of any reform school where juveniles are confined or kept.

The following committee amendment was submitted: Amend by striking out of section one, line five, the words "or other place," and insert in same line the word "State" before the words "Reform School."

Adopted.

Senator Voorhies moved to amend section one, line five, by striking out the words "one mile," and inserting therefor the words "one half mile."

Lost.

Senator Crandall moved to refer bill back to committee, with instructions to amend so as to make it amendatory to Penal Code.

Senator Heacock moved to amend motion so that the bill will retain its place on file.

Motion, as amended, adopted.

Senate Bill No. 268—An Act to amend section two thousand nine hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the preservation of the public health.

Bill read second time, ordered engrossed and on file for third reading.

RESOLUTION—(OUT OF ORDER).

By Senator Dray:

Resolved, That the Chairman of the Senate Committee on Inaugural Ceremonies pay over to the Chairman of the Joint Committee on said ceremonies (Mr. Bruner) the seventy-five dollars heretofore voted by the Senate for the purpose of paying one half of the bills yet unpaid.

Adopted.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 116—An Act to amend section five hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the office of Superintendent of State Printing, and providing for the election of such officer.

Bill read second time, ordered engrossed and on file for a third reading.

On motion of Senator Heacock, Senate Bill No. 58 was passed on file.

Senate Bill No. 16—An Act to amend section four hundred and ninety-nine of the Civil Code of California, relative to the authority to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway, operated under different management, to use parts of the same streets and tracks.

Bill read second time, ordered engrossed and on file for a third reading.

On motion of Senator Crandall, Senate Bill No. 135 was passed on file.

Assembly Bill No. 132—An Act to amend an Act entitled "An Act in relation to certain deputies, assistants, and copyists of County Clerks," approved April 2, 1880.

Bill read second time, and ordered on file for third reading.

On motion of Senator Crandall, Senate Bill No. 61 was passed on file.

Senate Bill No. 2—An Act to confirm, ratify, and make valid ordinances heretofore passed by the body intrusted with the government of incorporated cities, city and county, and towns, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated cities, city and county, and towns, by electric power.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 47—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of incorporated cities, city and county, or towns.

The following committee amendment was submitted.

Amend by striking out all of section one after line two of printed bill, and insert the following:

Section 497. Authority to lay railroad tracks through the streets and public highways of any incorporated city, city and county, or town, may be obtained for a term of years, not exceeding fifty, from the Trustees, Council, or other body to whom is intrusted the government of the city, city and county, or town, under such restrictions and limitations, and upon such terms and payment of license tax, or percentage of gross earnings, as the city, city and county, or town authority may provide. In no case must permission be granted to propel cars upon such tracks otherwise than by electricity, horses, mules, or by wire ropes running under the streets and moved by stationary engines, or by any mechanical or other power, or the combination of them, except steam locomotion, unless for special reasons as hereinafter provided.

Adopted.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish and game.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 66—An Act to regulate the sale of olive oil.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 264—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section one thousand eight hundred and sixty-four and one half, to give a lien to the breeders of thoroughbred cattle, horses, and other domestic animals.

Bill read second time, ordered engrossed and on file for third reading.

On motion of Senator Flint, Senate Bill No. 40 was passed on file.

Senate Bill No. 133—An Act to amend an Act entitled an Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State," approved March 19, 1889.

The following committee amendment was submitted:

Amend by adding after the word "than," end of line five, printed bill, "four dollars, and if but one member."

Adopted.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 281—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations.

The following amendments were submitted:

By committee: Strike out all of section three.

Lost.

Strike out all of section four.

Adopted.

Senator Voorhies moved to amend by inserting in line two, section one, after the word "weekly," "or monthly;" and after the word "week," same line, "or month."

The ayes and noes were demanded by Senators Langford, Berry, and Voorhies.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Broderick, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Fraser, Heacock, Langford, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Shippee, Simpson, Sprague, and Voorhies—20.

NOES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Everett, Flint, Harp, Maher, Ostrom, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—14.

Bill read second time, ordered engrossed and on file for third reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Carpenter: Senate Bill No. 549—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, and amended by amendatory Act, approved March 6, 1889.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

By Senator Banks (by request): Senate Bill No. 550—An Act to ascertain the amount and provide for the payment of damages done to the property of J. G. Ziegler, Christian Mangels, and Diedrich Steffens, executors of the last will of Martin Mangels, deceased, Thomas Foley, E. A. Goetze, C. Hildebrandt, H. Schammel, Peter Ginochio, John Dondero, and George Seekamp, whose property has been damaged by reason of the change of grade of Montgomery Avenue in the City and

County of San Francisco, in pursuance of an Act entitled "An Act to change and modify the grade and to provide for the grading and regrading of certain portions of Montgomery Avenue, and of certain streets intersecting Montgomery Avenue, in the City and County of San Francisco," approved April 3, 1876.

Referred to Committee on City, City and County, and Town Governments.

By Senator Geo. J. Campbell: Senate Bill No. 551—An Act supplementary to an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, A. D. 1883, and being in relation to the organization of new counties, and the classification thereof.

Referred to Committee on Counties, County Government, and Township Organization.

By Senator Britt: Senate Bill No. 552—An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California.

Referred to Committee on City, City and County, and Town Governments.

By Senator Sprague: Senate Bill No. 553—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to vacancies in office.

Referred to Committee on Judiciary.

SENATE CONSTITUTIONAL AMENDMENT.

By Senator Preston: Senate Constitutional Amendment No. 19—Relative to the creation of new counties by a direct vote of the people.

Referred to Committee on Constitutional Amendments, and Banks and Banking.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, February 3, 1891.

MR. PRESIDENT: Your Committee on Elections, to whom was referred the contested case of P. J. Murphy vs. J. H. Mahoney, beg leave to report that said Mahoney has been and is now legally elected as Senator from the Twenty-fourth Senatorial District; that his right to said office be and the same is hereby declared legal and valid; and that said Murphy be and he is hereby denied the right to said office; and that his contest therefor stand dismissed.

All papers submitted herewith are now returned.

McGOWAN, Chairman.

ON STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, February 3, 1891.

MR. PRESIDENT: Your Committee on State Library and Rules have had under consideration Joint Rules for the Senate and Assembly, and respectfully recommend the adoption of the rules herewith submitted.

McGOWAN, Chairman.

Senator McGowan moved that the consideration of the two reports be made a special order for Wednesday, February 4, 1891, at two o'clock and two o'clock and fifteen minutes P. M., respectively.

So ordered.

ON CLAIMS.

MR. PRESIDENT: Your Committee on Claims beg leave to make the following report: *First*—They have considered Senate Bill No. 478—An Act making an appropriation to pay the Assistant Journal Clerks of the Senate (twenty-sixth session of the Legislature) for completing the Journal of the Senate—and report the same back, with an amendment, and recommend the passage of the bill as amended.

Second—Also: Senate Bill No. 358—An Act making an appropriation to pay the Journal Clerks of the Senate (twenty-eighth session of the Legislature), and his assistants, for completing the Journal of the Senate—and report the same back that it do pass; and in connection therewith, your committee asks the Senate to permit the withdrawal of Senate Bill No. 250—An Act to pay the claim of William J. Hardy—as his claim is included in this bill now reported, No. 358, and that it be read the first time and substituted on the file in the place of Senate Bill No. 250, so withdrawn.

Third—Also: Senate Bill No. 203—An Act making an appropriation to pay the necessary expenses of the Commissioners appointed by the State of California to the World's Fair at Paris in 1890—and report the same back, and recommend its indefinite postponement.

Fourth—Also: Senate Bill No. 291—An Act for the relief of Benicia F. Vallejo, widow of the late General M. G. Vallejo—and owing to the death of the applicant herein named, your committee recommend that the bill be indefinitely postponed.

Fifth—Also: Senate Bill No. 485—An Act to appropriate money to pay the claim of Bartolo Sepulveda, his executors, administrators, or assigns, for unlawful imprisonment—and recommend that it do not pass.

Sixth—Also: Senate Bill No. 481—An Act for the relief of George Dougherty—and report the same back without consideration, and recommend that it be referred to the San Francisco delegation for their consideration.

Seventh—Also: Senate Bill No. 465—An Act to appropriate money for the payment of the unpaid salary of the Deputy Reporter of the Decisions of the Supreme Court, for the three months of the fortieth fiscal year—and report the same back without recommendation.

Eighth—Also: Senate Bill No. 364—An Act making an appropriation to pay the claim of "The California Spirit of the Times," for advertising the Election Proclamation—and recommend its passage.

Ninth—Also: Senate Bill No. 359—An Act to equalize the compensation of the attorneys who were employed by the State of California in a United States case involving the Chinese Exclusion Act, passed by Congress, to wit: the case of Chae Chan Ping vs. The United States, and making an appropriation therefor—and recommend that it do not pass.

Tenth—Also: Senate Bill No. 366—An Act making an appropriation to pay the claim of James A. Kearney, ex-Sheriff of San Benito County, for expenses in conveying prisoner—and recommend that it do pass.

Eleventh—Also: Senate Bill No. 247—An Act for the relief of G. Raisch—and report the same back without consideration, with the recommendation that it be rereferred to the San Francisco delegation for their consideration.

Twelfth—Also: Senate Bill No. 360—An Act making an appropriation to pay the claim of Henry Hogan—and report the same back with an amendment, and recommend that the bill do pass as amended.

Thirteenth—Also: Senate Bill No. 221—An Act to appropriate money to pay the claim of Max Gumpel, for services rendered the State as an expert, in the trial of John S. Gray—and recommend that it do not pass.

Fourteenth—Also: Senate Bill No. 365—An Act making an appropriation to pay the claim of Henry Mahler, for services superintending the improvement of the grounds around the Marshall monument—and recommend that it do pass.

Fifteenth—Also: Senate Bill No. 164—An Act to authorize the Board of State Harbor Commissioners to pay the claim of Michael Creed—with an amendment, and recommend that the same do pass as amended.

HEACOCK, Chairman.

Senator Heacock moved that Senate Bills Nos. 247 and 481 be rereferred to the San Francisco delegation.

So ordered.

REPORT OF COMMITTEE ON STATE LIBRARY AND RULES.

The following report was submitted:

JOINT RULES OF THE SENATE AND ASSEMBLY.

SENATE CHAMBER, SACRAMENTO, February 3, 1891.

I.—COMMITTEE OF CONFERENCE.

In every case of an amendment of a bill agreed to in one House, and dissented from in the other, if either House shall request a conference and appoint a committee to confer, the other House shall appoint a like committee; and such committee shall meet at a convenient hour, to be agreed upon by the respective Chairmen, and shall confer upon the differences between the two Houses, and shall report as early as convenient the result of their conference to their respective Houses for their action.

II.—MESSENGERS MUST BE ANNOUNCED BY THE ASSISTANT SERGEANT-AT-ARMS.

When a message shall be sent from either House it shall be announced at the door by the Assistant Sergeant-at-Arms, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

III.—SECRETARY, CLERKS, ETC., TO CARRY MESSAGES.

Messages shall be sent by the Secretary, Clerk, or by such person as a sense of propriety of each House may determine to be proper.

IV.—NOTICES TO BE ON PAPER UNDER PROPER SIGNATURE.

Notice of the action of either House to the other shall be on paper, and under the signature of the Secretary or Clerk of the House from which such notice is to be conveyed.

V.—ENROLLED BILLS TO RECEIVE SIGNATURE OF PROPER OFFICER.

After a bill shall have passed both Houses, it shall be duly enrolled by the Enrolling Clerk and Enrolling Committee of the Assembly or of the Senate, as the bill may have originated in one or the other House, and shall first receive the signature of the presiding officer and Clerk or Secretary of the House in which it emanated, before it shall be presented to the Governor of the State.

VI.—ENROLLING COMMITTEE TO COMPARE.

When bills are enrolled they shall be reëxamined by the Enrolling Committee of the House in which they originated, who shall carefully compare the enrollment with the engrossed bill, as passed in the two Houses, and, correcting any errors that may be discovered in the enrolled bill, make their report forthwith to the House in which the bill originated, stating by whom such bill was examined.

VII.—PRESIDENT AND SPEAKER TO SIGN BILLS.

After examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the Assembly, then by the President of the Senate.

VIII.—ENROLLING COMMITTEE TO PRESENT BILL TO GOVERNOR.

After a bill shall have thus been signed in each House, it shall be presented, by the Enrolling Committee of the House in which it originated, to the Governor of the State for his approval. (It being first indorsed on the back of the roll by the Secretary or Clerk, as the case may be, certifying in which House the bill originated.) The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the House in which the bill originated.

IX.—ORDERS, RESOLUTIONS, AND VOTES TO BE APPROVED AS ARE BILLS.

All orders, resolutions, and votes, which are to be presented to the Governor of the State for his approbation, shall also, in the same manner, be previously enrolled, examined, and signed, and shall be presented in the same manner, and by the same committee, as provided in the case of bills.

X.—JOINT ADDRESSES TO GOVERNOR.

When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber by the President of the Senate, in the presence of the Speaker and both Houses.

XI.—BILL OR RESOLUTION OF ONE HOUSE, REJECTED IN THE OTHER, REQUIRES NOTICE.

When a bill or resolution, which shall have passed one House, is rejected by the other, notice thereof shall be given to the House in which the same shall have passed.

XII.—REJECTED BILLS REQUIRE FIVE DAYS' NOTICE AND TWO-THIRDS VOTE FOR REINTRODUCTION.

When a bill or resolution, which has been passed in one House, shall be rejected in the other, it shall not be brought in during the same session, without a notice of five days, and leave of two thirds of that House in which it shall be renewed.

XIII.—EACH HOUSE TO TRANSMIT PAPERS.

Each House shall transmit to the other, papers on which any bill or resolution shall be founded.

XIV.—DISAGREEMENT, ADHERED TO, DEFEATS THE BILL.

After each House shall have once adhered to their disagreement, a bill or resolution shall be lost

XV.—NO APPROPRIATION EXCEPT BY BILL.

No appropriation of money, for any purpose whatever, shall be made except by bill.

XVI.—EXCEPT BY EACH HOUSE, PRINTING TO BE DONE BY CONCURRENT RESOLUTION.

Each House may order the printing of bills introduced and reports of its own committees, but no other printing shall be ordered except by a concurrent resolution passed by both Houses.

XVII.—JOINT STANDING COMMITTEE OF THREE FROM EACH HOUSE.

There shall be a Joint Standing Committee of three from each House, who shall examine all matter proposed to be printed by concurrent order, and shall report what part of such matter it is needful to print.

XVIII.—NO LIQUORS IN PUBLIC BUILDINGS.

No spirituous liquors shall be offered for sale or introduced within any portion of the building which is used for State purposes, or is under the control of this Legislature.

XIX.—UNANIMOUS CONSENT FOR EXTRA PAY.

No extra pay nor increase in the pay of any officer or attaché of the Senate or Assembly shall be made by resolution, except by unanimous consent.

XX.—JOINT RESOLUTIONS TREATED AS BILLS.

All joint resolutions which relate to or contain communications to the Federal Government, shall be treated in all respects as bills.

XXI.—AMENDMENTS TO AMENDED BILLS MUST BE ATTACHED.

Whenever a bill or resolution which shall have been passed in one House, shall be amended in the other, such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "Adopted;" and such amendment or amendments, if concurred in by the House in which such bill or resolution originated, shall be indorsed "Concurred in;" and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Clerk or Assistant Clerk of the Assembly, as the case may be.

McGOWAN, Chairman.

REPORT OF SPECIAL COMMITTEE.

ON INAUGURAL CEREMONIES.

SENATE CHAMBER, SACRAMENTO, February 3, 1891.

MR. PRESIDENT: Your Committee on Inaugural Ceremonies report that they have performed the duties imposed on them, and ask that they may now be discharged.

Also, find herewith receipt for moneys paid over, as instructed by the Senate.

Respectfully submitted.

F. R. DRAY.
W. E. DARGIE.
G. G. GOUCHER.

SACRAMENTO, February 3, 1891.

$75 00.

Received of F. R. Dray, seventy-five dollars, voted by Senate of the State of California, for the purpose of paying one half of the bills unpaid in the matter of inaugural ceremonies.

ELWOOD BRUNER,
Chairman Joint Committee on Inaugural Ceremonies.

MOTION.

Senator Heacock moved that Senate Bill No. 250 be dropped from the file.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

MR. PRESIDENT: The Committee on Agriculture, to whom was referred Senate Bill No. 334—respectfully report the same back with a substitute, and recommend the adoption of the substitute, and that said substitute be ordered printed.

FRASER, Chairman.

Report of committee adopted.

RESOLUTION—(OUT OF ORDER).

By Senator Heacock:

Resolved, That Chairmen of committees instruct the clerks of their respective committees in making out their reports, to write all proposed committee amendments upon slips of paper, and to lightly attach the same upon the margin of the original bill, over the section of the bill proposed to be amended, instead of incorporating their amendments at length in their reports.

Adopted.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 81—An Act to provide for a State Board of Arbitration, for the settlement of differences between employers and employés.

Senator Crandall moved to strike out all of section six.

Lost.

Bill read second time, ordered engrossed and on file for third reading.

On motion of Senator Campbell of Solano, Senate Bill No. 167 was passed temporarily, and to retain its place on file.

Senate Bill No. 227—An Act entitled "An Act to add another section to the Code of Civil Procedure of the State of California," relating to incompetent persons.

The following amendment was submitted by Senator Heacock:

Strike out of section one, line one, the word "one" after the word "article," and insert "two," and strike out after "title" the word "two," and insert "eleven."

Adopted.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 134—An Act to amend sections one thousand one hundred and eighty-seven and one thousand one hundred and eighty-nine, and to repeal sections one thousand one hundred and eighty-six and one thousand one hundred and ninety-one of the Civil Code, relating to the recording and the acknowledgment of transfers.

The following committee amendment was submitted:

Insert in title after the word "Code," the words "of the State of California."

Adopted.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 287—An Act to amend section ninety-two of the Civil Code, and to add a new section to the Civil Code, to be designated as section one hundred and eight, concerning divorces.

The following committee amendment was submitted:

Insert in title after the word "Code," the words "of the State of California."

Adopted.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 238—An Act to amend sections seven hundred and ninety-nine and eight hundred of the Penal Code, relating to the limitation of time within which prosecution for murder, the embezzlement of public moneys, and the falsification of public records must be commenced.

The following amendment was submitted by the committee:

Add to the title, after the word "commenced," the following: "and providing the time within which informations may be filed or indictments found for other felonies."

Adopted.

Bill read second time, ordered engrossed and on file for third reading.

ADJOURNMENT.

At four o'clock and thirty minutes P. M. the Senate, on motion of Senator Maher, adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 4, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by Rev. A. T. Needham.

READING OF THE JOURNAL.

Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Senator Seawell was granted a leave of absence, on account of sickness, for the remainder of the week.

Senators Preston and Streeter were granted a leave of absence for the day on account of sickness.

PRESENTATION OF PETITION.

Senator Crandall presented the following, which was ordered printed in the Journal:

Also: Senate Bill No. 241—An Act to appropriate money for the erection of a State Hospital for Lepers.

Also: Senate Bill No. 264—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 12, 1872, by adding a new section to said Civil Code, to be known as section one thousand eight hundred and sixty-four and one half, to give a lien to the breeders of thoroughbred cattle, horses, and other domestic animals.

Also: Senate Bill No. 121—An Act authorizing the formation of county mutual insurance companies, regulating the transactions of their business, and defining the duties of the officers thereof.

Also: Senate Bill No. 54—An Act to appropriate money to pay the claim of George J. Mothersole, for labor performed and expenses incurred in roofing the Napa State Asylum for the Insane, under a written contract.

Also: Senate Bill No. 88—An Act to pay the claim of James W. Rankin, for services in the office of the State Treasurer of California, and appropriate money therefor.

Also: Senate Bill No. 172—An Act to appropriate the sum of four hundred and fifty-eight dollars and sixty-five cents to pay the claim of William H. Murphy, for money illegally paid the State of California.

Also: Senate Bill No. 209—An Act entitled "An Act to appropriate money to pay the claim of George Fetherstone, for services rendered in the office of Treasurer of State."

RAGSDALE, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Joint Resolution No. 10—Relative to the fostering of American shipping.

H. A. MASON, Chief Clerk.
By ED. J. SMITH, Assistant.

Assembly Joint Resolution No. 10 referred to Committee on Federal Relations and Immigration.

INTRODUCTION OF BILLS.

The following bills were introduced and referred as indicated:

By Senator Maher: Senate Bill No. 554—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto certain new and additional sections, to provide the mode of carrying into effect certain provisions of said Act, relative to changing grades.

Referred to Committee on City, City and County, and Town Governments.

By Senator Ostrom: Senate Bill No. 555—An Act to add a new section to the Political Code, numbered eight hundred and two, providing for recording the commission of a Notary Public.

Referred to Committee on Judiciary.

Also: Senate Bill No. 556—An Act to validate and make legal proofs and acknowledgments of instruments made before and taken by Court Commissioners after the third day of April, 1880.

Referred to Committee on Judiciary.

Also: Senate Bill No. 557—An Act to encourage the cultivation of ramie in the State of California, to provide a bounty for ramie fiber, and to make an appropriation therefor; to appoint a State Superintendent of Ramie Culture, and make an appropriation for his salary.

Referred to Committee on Agriculture, Viniculture, and Viticulture.

By Senator Flint: Senate Bill No. 558—An Act to prevent destruction by fire of property of contiguous owners.

Referred to Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game.

By Senator Carpenter: Senate Bill No. 559—An Act to amend sections two thousand six hundred and eighteen, two thousand six hundred and twenty-one, and two thousand six hundred and forty-three of the Political Code of the State of California, and to add a new section thereto, to be numbered two thousand six hundred and ninety-seven, all relating to highways.

Referred to Committee on Roads and Highways.

SPECIAL FILE.

On motion of Senator Ragsdale, Senate Bill No. 128 was passed on file.

RESIGNATION.

Senator G. H. Williams presented the following resignation:

SACRAMENTO, February 4, 1891.

To the President of the Senate of the State of California:

DEAR SIR: I do hereby tender my resignation as Watchman, and request the same to take effect immediately.

Very respectfully.

T. J. RYAN.

On motion of Senator Dray, the resignation was accepted.

RESOLUTION—(OUT OF ORDER).

By Senator G. H. Williams:

Resolved, That William Gaffney be and he is hereby appointed Watchman from this date, at the per diem of four dollars, the same to be paid out of the Contingent Fund of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Ragsdale, Shippee, Simpson, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—30.

NOES—Mr. Langford—1.

SPECIAL FILE—(RESUMED).

Senate Constitutional Amendment No. 3 was passed on file until return of author.

On motion of Senator Dray, Senate Constitutional Amendment No. 7 was passed on file.

Committee substitute for Senate Bill No. 331 read.

On motion of Senator McGowan, the substitute was adopted, ordered engrossed and on file for third reading.

On motion of Senator Campbell of Solano, Senate Constitutional Amendment No. 5 was passed on file, to retain its place.

THIRD READING OF BILLS.

On motion of Senator Banks, Senate Bill No. 148 was passed on file.

On motion of Senator Denison, Senate Bill No. 45 was passed on file.

On motion of Senator Maher, Assembly Bill No. 211 was passed on file.

RECESS.

At twelve o'clock M. the Senate took a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thomas Fraser, President pro tem. of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 139—An Act to provide for the levy and collection of taxes by and for school districts, except in municipal corporations of the first class.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Campbell of Solano, Campbell of Siskiyou, Crandall, Denison, Dray, Everett, Fraser, Hamill, Harp, Heacock, Langford, McComas, Mead, Ostrom, Ragsdale, Shippee, Simpson, Williams (Wm. H.), and Williams (Geo. H.)—22.
NOES—None.

Title read and approved.

Assembly Bill No. 132—An Act to amend an Act entitled "An Act in relation to certain deputies, assistants, and copyists of County Clerks," approved April 2, 1880.

Bill read third time, and refused final passage by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Carpenter, De Long, Dray, Everett, Flint, Fraser, Mahoney, Sprague, and Williams (Geo. H.)—12.
NOES—Messrs. Berry, Byrnes, Campbell of Solano, Crandall, Dargie, Denison, Hamill, Harp, Heacock, Langford, Maher, McComas, Mead, Ostrom, Ragsdale, Shippee, Simpson, Welch, and Wilson—19.

Senator Maher gave notice that he would, to-morrow, move to reconsider the vote by which Assembly Bill No. 132 was refused final passage.

Senate Bill No. 278—An Act to prohibit the sale of intoxicating liquors within one mile of any reform school where juveniles are confined or kept.

Bill passed on file.

SECOND READING OF BILLS.

Senate Bill No. 90—An Act to amend an Act entitled "An Act to amend section six of an Act entitled 'An Act concerning the waterfront of the city and county of San Francisco,' approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners," approved March 17, 1889.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 12—An Act repealing an Act declaring the Klamath River navigable.

Senator Campbell of Siskiyou requested that Senate Bill No. 12 be withdrawn from the file, and that Assembly Bill No. 121 be substituted therefor.

So ordered.

Assembly Bill No. 121—An Act to repeal an Act entitled "An Act to declare the Klamath River navigable."

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 165—An Act to add two new sections to chapter eleven of the Penal Code, to be known and numbered as sections three hundred and thirty-seven and three hundred and thirty-eight, relative to the selling of pools on horse races.

Bill passed on file.

Senate Bill No. 58—An Act to amend section five hundred and thirty of the Political Code, relating to the office of Superintendent of State Printing.

Bill passed on file.

Senate Bill No. 135—An Act to amend sections one thousand three hundred and five, one thousand three hundred and seventy-three, one thousand five hundred and fifty-two, one thousand six hundred and thirty-three, and one thousand six hundred and thirty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to estates of deceased persons.

Bill passed on file.

Senate Bill No. 61—An Act to provide for the better discovery of assessable personal property, to aid Assessors and Boards of Equalization in the performance of their duties, and to require insurance companies to make annual reports of personal property insured.

Bill passed on file.

Senate Bill No. 40—An Act to provide for the appointment of a State Veterinary Surgeon, to prescribe his duties, and fixing his compensation.

Bill passed on file.

Senate Bill No. 167—An Act to make train wrecking a capital offense.

Bill passed on file temporarily.

Senate Bill No. 34—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to the redemption of property sold for delinquent taxes, and the notices to be given by the purchasers of property at delinquent tax sales before applying for a deed.

Bill read second time, ordered engrossed and on file for third reading.

Senator Mead moved that the consideration of Senate Constitutional Amendment No. 15 be made a special order for to-morrow afternoon, at two o'clock P. M.

Senator De Long moved to amend by fixing the time for Monday, at three o'clock P. M.

Senator Mead accepted the amendment, and the motion, as amended, was declared carried.

SPECIAL ORDERS.

This being the time set for the consideration of the Joint Rules of the Senate and Assembly, submitted by Committee on State Library and Rules, on motion of Senator McGowan, the Secretary was ordered to read the rules.

The following amendments were offered for adoption:

By Senator McGowan, by adding a new rule, numbered twenty-two:

XXII.

Whenever any Senate or Assembly Bill is reported back by any committee, it shall be substituted on the file, at the request of any Senator or member of the Assembly, by the Secretary of the Senate or Clerk of the Assembly, in the place of any similar Senate or Assembly Bill.

Adopted.

Senator McGowan moved that the following be added to Rule 20: "Except that all joint resolutions shall be read but one time in each House."

Adopted.

The following rules were then adopted:

JOINT RULES OF THE SENATE AND ASSEMBLY.

I.—COMMITTEE OF CONFERENCE.

In every case of an amendment of a bill agreed to in one House, and dissented from in the other, if either House shall request a conference and appoint a committee to confer, the other House shall appoint a like committee; and such committee shall meet at a convenient hour, to be agreed upon by the respective Chairmen, and shall confer upon the differences between the two Houses, and shall report as early as convenient the result of their conference to their respective Houses for their action.

II.—MESSAGES MUST BE ANNOUNCED BY THE ASSISTANT SERGEANT-AT-ARMS.

When a message shall be sent from either House it shall be announced at the door by the Assistant Sergeant-at-Arms, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

III.—SECRETARY, CLERKS, ETC., TO CARRY MESSAGES.

Messages shall be sent by the Secretary, Clerk, or by such person as a sense of propriety of each House may determine to be proper.

IV.—NOTICES TO BE ON PAPER UNDER PROPER SIGNATURE.

Notice of the action of either House to the other shall be on paper, and under the signature of the Secretary or Clerk of the House from which such notice is to be conveyed.

V.—ENROLLED BILLS TO RECEIVE SIGNATURE OF PROPER OFFICER.

After a bill shall have passed both Houses, it shall be duly enrolled by the Enrolling Clerk and Enrolling Committee of the Assembly or of the Senate, as the bill may have originated in one or the other House, and shall first receive the signature of the presiding officer and Clerk or Secretary of the House in which it emanated, before it shall be presented to the Governor of the State.

VI.—ENROLLING COMMITTEE TO COMPARE.

When bills are enrolled they shall be reëxamined by the Enrolling Committee of the House in which they originated, who shall carefully compare the enrollment with the engrossed bill, as passed in the two Houses, and, correcting any errors that may be discovered in the enrolled bill, make their report forthwith to the House in which the bill originated, stating by whom such bill was examined.

VII.—PRESIDENT AND SPEAKER TO SIGN BILLS.

After examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the Assembly, then by the President of the Senate.

VIII.—ENROLLING COMMITTEE TO PRESENT BILL TO GOVERNOR.

After a bill shall have thus been signed in each House, it shall be presented, by the Enrolling Committee of the House in which it originated, to the Governor of the State for his approval. (It being first indorsed on the back of the roll by the Secretary or Clerk, as the case may be, certifying in which House the bill originated.) The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the House in which the bill originated.

IX.—ORDERS, RESOLUTIONS, AND VOTES TO BE APPROVED AS ARE BILLS.

All orders, resolutions, and votes, which are to be presented to the Governor of the State for his approbation, shall also, in the same manner, be previously enrolled, examined, and signed, and shall be presented in the same manner, and by the same committee as provided in the case of bills.

X.—JOINT ADDRESSES TO GOVERNOR.

When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber by the President of the Senate, in the presence of the Speaker and both Houses.

XI.—BILL OR RESOLUTION OF ONE HOUSE, REJECTED IN THE OTHER, REQUIRES NOTICE.

When a bill or resolution, which shall have passed one House, is rejected by the other, notice thereof shall be given to the House in which the same shall have passed.

XII.—REJECTED BILLS REQUIRE FIVE DAYS' NOTICE AND TWO-THIRDS VOTE FOR REINTRODUCTION.

When a bill or resolution, which has been passed in one House, shall be rejected in the other, it shall not be brought in during the same session, without notice of five days, and leave of two thirds of that House in which it shall be renewed.

XIII.—EACH HOUSE TO TRANSMIT PAPERS.

Each House shall transmit to the other, papers on which any bill or resolution shall be founded.

XIV.—DISAGREEMENT, ADHERED TO, DEFEATS THE BILL.

After each House shall have once adhered to their disagreement, a bill or resolution shall be lost.

XV.—NO APPROPRIATION EXCEPT BY BILL.

No appropriation of money, for any purpose whatever, shall be made except by bill.

XVI.—EXCEPT BY EACH HOUSE, PRINTING TO BE DONE BY CONCURRENT RESOLUTION.

Each House may order the printing of bills introduced and reports of its own committees, but no other printing shall be ordered except by a concurrent resolution passed by both Houses.

XVII.—JOINT STANDING COMMITTEE OF THREE FROM EACH HOUSE.

There shall be a Joint Standing Committee of three from each House, who shall examine all matter proposed to be printed by concurrent order, and shall report what part of such matter it is needful to print.

XVIII.—NO LIQUORS IN PUBLIC BUILDINGS.

No spirituous liquors shall be offered for sale or introduced within any portion of the building which is used for State purposes, or is under the control of this Legislature.

XIX.—UNANIMOUS CONSENT FOR EXTRA PAY.

No extra pay nor increase in the pay of any officer or attaché of the Senate or Assembly shall be made by resolution, except by unanimous consent.

XX.—JOINT RESOLUTIONS TREATED AS BILLS.

All joint resolutions which relate to or contain communications to the Federal Government, shall be treated in all respects as bills; except that all joint resolutions shall be read but one time in each House.

XXI.—AMENDMENTS TO AMENDED BILLS MUST BE ATTACHED.

Whenever a bill or resolution which shall have been passed in one House, shall be amended in the other, such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "Adopted;" and such amendment or amendments, if concurred in by the House in which such bill or resolution originated, shall be indorsed "Concurred in;" and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Clerk or Assistant Clerk of the Assembly, as the case may be.

XXII.

Whenever any Senate or Assembly Bill is reported back by any committee, it shall be substituted on the file, at the request of any Senator or member of the Assembly, by the Secretary of the Senate or Clerk of the Assembly, in the place of any similar Senate or Assembly Bill.

SPECIAL ORDER.

The time fixed for hearing the report of the Committee on Elections having arrived, the Secretary read the following report:

SENATE CHAMBER, SACRAMENTO, February 3, 1891.

MR. PRESIDENT: Your Committee on Elections, to whom was referred the contested case of P. J. Murphy vs. J. H. Mahoney, beg leave to report that said Mahoney has been and is now legally elected as Senator from the Twenty-fourth Senatorial District; that his right to said office be and the same is hereby declared legal and valid; and that said Murphy be and he is hereby denied the right to said office; and that his contest therefor stand dismissed.

All papers submitted herewith are now returned.

McGOWAN, Chairman.

The ayes and noes were demanded on the adoption of the report by Senators McGowan, Flint, and Everett.

The report was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, McComas, McGowan, Mead, Ostrom, Shippee, Simpson, Voorhies, Welch, Williams (Geo. H.), and Wilson—29.

NOES—None.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 51—An Act to amend an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, and to authorize the owners of lots in such cemeteries to transfer them by deed.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 71—An Act prescribing the competency and for the protection of witnesses testifying as to crimes against the elective franchise, to be added as a new section under title four of the Penal Code of the State of California, and to constitute section sixty-four of said Penal Code.

Bill read second time, ordered engrossed and on file for third reading.

The consideration of Senate Bill No. 167 was resumed.

The following amendments were offered by Senator Campbell of Solano:

Amend title to bill so as to read as follows:

"An Act to amend an Act entitled 'An Act to establish a Penal Code,' approved February 14, 1872, and to add a new section thereto, to be known as section two hundred and eighteen, relating to train wrecking and the punishment thereof."

Adopted.

Also: Amend by inserting after the enacting clause the following: "Section 1. A new section, to be known as section two hundred and eighteen, to the Penal Code of the State of California is hereby added, to read as follows:

Adopted.

Also: Amend by striking out the words: "Section one. Any person or persons," in line one, section one, and insert in lieu thereof, the following: "Section two hundred and eighteen. Every person."

Adopted.

Bill as amended, ordered engrossed and on file for third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON COUNTIES, COUNTY GOVERNMENTS, AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 3, 1891.

MR. PRESIDENT: We, a majority of the Committee on Counties, County Governments, and Township Organization, to which was referred Senate Bill No. 210—An Act to create the county of Glenn, to establish the boundaries thereof, and to provide for its organization—have had the same under consideration, and respectfully report that we recommend that said bill do pass.

RAGSDALE.
BRITT.
DARGIE.
McGOWAN.
GOUCHER.

MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, February 4, 1891.

MR. PRESIDENT: We, a minority of the Committee on Counties, County Governments, and Township Organization, to which was referred Senate Bill No. 210—An Act to create the county of Glenn, and establish the boundaries thereof, and to provide for its organization—have had the same under consideration, and respectfully report the same back, with a recommendation that it do not pass.

GEO. J. CAMPBELL, Chairman.
BERRY.
FLINT.
DE LONG.

Also:

SENATE CHAMBER, SACRAMENTO, February 4, 1891.

MR. PRESIDENT: The Committee on Counties, County Governments, and Township Organization, to which was referred Senate Bill No. 413—An Act to create the county of San Jacinto, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization and election of officers, and to classify said county—have had the same under consideration, and respectfully report the same back, with a recommendation that it do not pass; also the same of Senate Bill No. 482.

GEO. J. CAMPBELL, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 4, 1891.

MR. PRESIDENT: We, a majority of the Committee on Counties, County Governments, and Township Organization, to which was referred Senate Bill No. 103—An Act to form Pomona County, classify it, define its boundaries, provide for its organization, and the appointment and election of its officers—have had the same under consideration, and respectfully report that we recommend that said bill do not pass.

GEO. J. CAMPBELL, Chairman.
DE LONG.
GOUCHER, per G. J. CAMPBELL.
DARGIE.
FLINT.

MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, February 4, 1891.

MR. PRESIDENT: We, a minority of the Committee on Counties, County Governments, and Township Organization, to which was referred Senate Bill No. 103—An Act to form Pomona County, classify it, define its boundaries, provide for its organization, and the appointment and election of its officers—have had the same under consideration, and respectfully report that we recommend that said bill do pass.

BERRY.
BRITT.
McGOWAN.
RAGSDALE.

Also:

SENATE CHAMBER, SACRAMENTO, February 4, 1891.

MR. PRESIDENT: The Committee on Counties, County Governments, and Township Organization, to which was referred Senate Bill No. 513—An Act to amend an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place, within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose"—have had the same under consideration, and respectfully report it back, with the recommendation that it be referred to the Committee on City, City and County, and Town Governments.

GEO. J. CAMPBELL, Chairman.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, February 4, 1891.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Constitutional Amendment has been correctly enrolled:

Senate Constitutional Amendment No. 10—An Act to submit to the people of the State of California an amendment to section two, article four, of the Constitution of the State of California—and have this day delivered the same to the Governor.

RAGSDALE, Chairman.

SECOND READING OF BILLS—(RESUMED).

The following three bills were read second time, ordered engrossed and on file for third reading:

Senate Bill No. 119—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Senate Bill No. 120—An Act to amend section one hundred and seventy-two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the husband's control and disposition of the community property.

Senate Bill No. 87—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to chapter eight, title thirteen, part one, one section numbered five hundred and thirty-eight, relating to the punishment of fortune telling.

Senate Bill No. 109—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a section thereto, to be known as section one hundred and sixteen of said Act, relating to practice in township and municipal Courts.

Senate Bill No. 109 referred to Committee on Judiciary.

Senate Bill No. 78—An Act entitled "An Act to provide for the payment for services rendered the State of California by William H. Thornley, as Deputy State Commissioner of Immigration, and making the necessary appropriations therefor."

Senator Heacock moved that the consideration of the bill be indefinitely postponed.

Senator McGowan moved to amend by passing on file until the author of the bill should be present.

Senator Heacock accepted the amendment, and the motion, as amended, prevailed.

Senate Bill No. 267—An Act to regulate the interest of money.

Senator De Long moved that the enacting clause of the bill be stricken out.

The ayes and noes were demanded by Senators McGowan, De Long, and Broderick.

The motion to strike out prevailed by the following vote:

AYES—Messrs. Banks, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, McGowan, Shippee, Simpson, Sprague, Voorhies, Williams (Geo. H.), and Wilson—20.

NOES—Messrs. Bailey, Berry, Britt, Campbell of Siskiyou, Hamill, Harp, Langford, Maher, Mahoney, McComas, Mead, Ostrom, and Welch—13.

Senator Wilson gave notice that he would, on to-morrow, move a reconsideration of the vote by which the motion was carried.

Senate Bill No. 274—An Act to provide for the assesment of property,

and to provide a penalty for the failure or neglect of Assessors to perform their duty in making assessments.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 262—An Act making an appropriation to pay the deficiency in the appropriation for the salary of the Executive Secretary to the Governor for the forty-first and forty-second fiscal years.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 342—An Act to provide for the appointment of a guardian for the Marshall monument and grounds, prescribing his duties, and appropriating money therefor.

Senator Heacock moved that the consideration of the bill be indefinitely postponed.

Senator McGowan in the chair.

Motion of Senator Heacock lost.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 5—An Act to add a new section to the Political Code, to be numbered two thousand six hundred and twenty-three, in relation to vacating public roads.

Bill read second time, ordered engrossed and on file for third reading.

The following four bills were read second time, and ordered engrossed and on file for third reading:

Senate Bill No. 3—An Act to amend section two thousand six hundred and eighty-eight of the Political Code of the State of California, concerning the hearing of the reports of viewers of public highways by Boards of Supervisors, and the manner, time, and place of hearing such report, and the method of giving notice of such time and place to non-consenting land owners, and concerning damages to be awarded on such hearing.

Senate Bill No. 4—An Act to amend section two thousand six hundred and eighty-two of the Political Code of the State of California, in relation to the character of petitions to be presented for the purpose of altering, laying out, or constructing, or discontinuing, or abandoning, of any public highway.

Senate Bill No. 143—An Act authorizing and requiring Boards or Commissions having the management and control of paid police forces to grant the members thereof yearly vacations.

Senate Bill No. 176—An Act to ascertain and express the will of the people of the State of California upon the subject of election of United States Senators.

Senate Bill No. 79—An Act to amend section one thousand two hundred and nine of the Code of Civil Procedure of the State of California, relating to the power of Courts in the matter of punishing contempts of Court.

Senator Maher moved that Senate Bill No. 79 be stricken from the file.

So ordered.

Senate Bill No. 151—An Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State," approved March 14, 1881, as amended by chapter two hundred and sixty-five of the laws of 1889, approved March 19, 1889.

The following committee amendments were offered:

After the words "civil action," on line seventeen, page two, in section two of said Act, strike out all down to and including the words "public nuisance," at the end of line twenty-three, same page, and insert instead thereof the following, to wit:

"Any and all such places, or orchards, or nurseries, or trees, plants, shrubs, vegetables, vines, fruit, or articles, thus infested, are hereby adjudged and declared to be a public nuisance."

Also: After the word "county," on line thirty-two, said page two, strike out all down to and including the word "county," at the end of line thirty-six, said page two, and insert in place thereof the following:

"Any and all sum or sums so paid shall be or become a lien on the property and premises from which said nuisance has been removed or abated in pursuance of this Act, and may be recovered by an action against such property and premises, which action to foreclose all such liens shall be in the proper Court, in the name and for the benefit of the county making such payment or payments, and when the property is sold, enough of the proceeds shall be paid into the County Treasury of such county to satisfy the lien and costs, and an attorney fee in such foreclosure suit of one hundred dollars; *provided*, that in no event shall such attorney's fee become a charge against the county, or any of its funds, and the overplus, if any there be, shall be paid to the owner of the property, if he be known, and if not, then into the Court for his use when ascertained."

Also: After the word "power," on line thirty-seven, said page two, strike out all down to and including the word "and," at the beginning of line thirty-nine, said page two.

Also: On said line thirty-nine, page two, after the word "cause," strike out the words "the same," and insert in place thereof the words "any and all such nuisance," so the paragraph will read when thus amended, as follows:

"The County Board of Horticultural Commissioners is hereby vested with power to cause any and all such nuisance to be at once abated in a summary manner."

Also: Amend section one by striking out all of lines forty, forty-one, forty-two, forty-three, and forty-four, printed bill.

Also: Amend title so as to read:

"An Act amendatory of an Act entitled an Act to amend an Act entitled 'An Act to protect and promote the horticultural interests of the State,' approved March 14, 1881, approved March 19, 1889."

Also: Amend section two by striking out of line five, page three, printed bill, the word "less," and insert "more," and strike out the word "six," and insert "five," so as to read "of not more than five hundred dollars per annum."

Bill read second time, ordered engrossed as amended, and on file for third reading.

THIRD READING OF BILLS.

Senator Dray moved that Assembly Bill No. 211 be now taken up.

So ordered.

Assembly Bill No. 211—An Act to increase the police force of the various cities, and cities and counties, of the State, and to provide for the appointment of such extra police officers and for the payment of their salaries.

Senator Dray moved that Senator Crandall be appointed a committee of one to amend by striking out of section one, line two, the word "third," in printed amended Assembly Bill No. 211.

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 4, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Assembly Bill No. 211, with instructions to amend, have had the same under consideration, and respectfully report the same back amended as per instructions.

CRANDALL, Committee.

Report adopted.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 144—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Senator G. H. Williams moved that the bill be referred back to the Judiciary Committee.

So ordered.

Senate Bill No. 92—An Act to provide penalties for failure to pay tolls by false returns, or otherwise, to Board of State Harbor Commissioners.

Bill read second time, ordered engrossed and on file for third reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, February 4, 1891.

MR. PRESIDENT: Your Committee on Engrossment beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 16—An Act to amend section four hundred and ninety-nine of the Civil Code of California, relative to the authority to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway, operated under different management, to use parts of the same streets and tracks.

Also: Substitute for Senate Bill No. 75—An Act to add a new section to the Political Code of the State of California, to be known and designated as section four thousand three hundred and thirty-four, relating to the duties of officers.

Also: Senate Bill No. 81—An Act to provide for a State Board of Arbitration, for the settlement of differences between employers and employés.

Also: Senate Bill No. 108—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known as section three hundred and eight, relative to the sale or furnishing of tobacco or preparations thereof to persons under sixteen years of age.

Also: Senate Bill No. 130—An Act to authorize and direct the sale of the site and building of the California Home for the Care and Training of Feeble-Minded Children, in Santa Clara County.

Also: Senate Bill No. 136—An Act to amend section seven hundred and ninety-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Senate Bill No. 149—An Act to amend section seven hundred and ninety-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Senate Bill No. 238—An Act to amend sections seven hundred and ninety-nine and eight hundred of the Penal Code, relating to the limitation of time within which prosecution for murder, the embezzlement of public moneys, and the falsification of public records must be commenced.

RAGSDALE, Chairman.

SECOND READING OF BILLS—(RESUMED).

Committee Substitute for Senate Bill No. 169—An Act to create a Board of State Harbor Commissioners for Humboldt Bay, to provide for the appointment of such Commissioners, and to define their duties.

Substitute read second time.

Senator Heacock moved to amend after the words "paid," section twenty-two, line five, by inserting the following: "out of the Humboldt Bay Improvement Fund."

Amendment pending.

Senator Fraser in the chair.

Senator Heacock moved that consideration of Senate Bill No. 169 be made a special order for to-morrow at two o'clock, retaining its place on file.

So ordered.

REPORT OF STANDING COMMITTEES.

SAN FRANCISCO DELEGATION.

SENATE CHAMBER, SACRAMENTO, February 4, 1891.

MR. PRESIDENT: The San Francisco Delegation, to whom was referred Senate Bill No. 481—An Act for the relief of George Dougherty—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 247—An Act for the relief of G. Raisch—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 293—An Act for the relief of John J. Conlin—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAHER, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, February 4, 1891.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bills Nos. 8, 57, 123, and 369, also petition—have had the same under consideration, and respectfully recommend a substitute, which is herewith submitted, for all said bills, and we recommend said substitute be adopted.

McGOWAN, Chairman.

To the honorable the Senate of the State of California:

Your Committee on Elections, to which was referred Senate Bill No. 8—An Act to provide for the conduct of elections, and to more fully secure the independence of electors and the secrecy of the ballot—introduced by Senator Britt.

Also: Senate Bill No. 57—An Act to provide for the nomination of candidates for office, to provide for ballots to be used in elections, and to further preserve the purity and secrecy of the ballot—introduced by Senator Goucher.

Also: Senate Bill No. 123—An Act to provide for the conduct of elections, and to more fully secure the independence of electors and the secrecy of the ballot—introduced by Senator Langford.

Also: Senate Bill No. 369—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and thirteen, one thousand two hundred and fourteen, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two hundred and fifty-nine of the Political Code, and to add three new sections thereto, to be numbered one thousand two hundred and fifteen, one thousand two hundred and sixteen, and one thousand two hundred and seventeen, in relation to the methods of making nominations for offices, the mode of conducting elections, and making returns thereof, in this State—introduced by Senator Ostrom.

Report the same back with a substitute, and recommend the passage of the substitute.

The substitute herewith presented is drafted on the plan of Senate Bill No. 369, introduced by Senator Ostrom, and embodies, substantially, all of the provisions of Senate Bill No. 123, introduced by Senator Langford, with some important features not embraced in either, but suggested by the other bills on the same subject, which have been introduced in both Senate and Assembly.

In drafting the substitute bill we had before us and used, in addition to the Senate bills above reported, the election bills introduced in the Assembly by Messrs. Arms, Bert, Dibble, and Johnson.

All of the Senate Bills above reported, and all of the above mentioned Assembly Bills, except those introduced by Messrs. Dibble and Johnson, embrace and substantially consist of these five principal features:

First—The printing and distribution of all election ballots by public officers and at public expense.

Second—The nomination of candidates for office by petitions or certificates, signed by fixed numbers of electors, as well as by party Conventions.

Third—Separate ballots for general and municipal elections.

Fourth—A single official ballot for each election (general or municipal) containing the names of all candidates for office to be voted for at such election.

Fifth—Compulsory secrecy in the preparation of official ballots for voting, and in voting.

The Johnson bill contains substantially all of the foregoing features, except the third, while the Dibble bill, in these respects, provides only for the distribution of ballots (privately printed) by public officers, and greater safeguards for secrecy in the preparation of ballots for voting than are now provided by law. His bill also provides for reimbursing, out of the several county treasuries, the persons or parties printing ballots which receive ten per cent of the registered vote of the State or district in which such ballot is voted, to the extent of "the actual cost of the printing of such tickets" (p. 2, §4).

The substitute prepared by your committee embraces the five features above mentioned,

all of which we deem absolutely essential to the complete purification of our elections, and the harmonious operations of our election machinery.

The evils in our present elective system, which are sought to be remedied by the proposed laws and by our substitute are, chiefly:

First—The bribery of corrupt and needy voters.

Second—The intimidation of dependent voters.

Third—The heavy assessments of candidates by regular party organizations for the legitimate expenses of printing and distributing ballots.

Fourth—The blackmailing and extortion practiced upon candidates by "piece clubs" and bogus party Conventions and committees.

Fifth—The prohibitory expense of running independent candidates, to rebuke or defeat corrupt or unworthy party nominees, or to represent principles ignored by regular party Conventions.

That the substitute election bill which we present herewith would remedy all of the evils above enumerated, must be clearly apparent from a mere inspection of its provisions.

The bribery and intimidation of voters would be effectuallly stopped by the provision for compulsory secrecy in the preparation of ballots.

The assessment of candidates by regular Conventions would be reduced to insignificance, if not entirely abolished, by the provision for the printing and distribution of ballots by public officers and at public expense.

The blackmailing practices of "piece clubs" and other political parasites would be effectually stopped by the provision for a single official ballot containing the names of all candidates nominated either by Conventions or petitions, because one nomination would secure to each candidate a place on such ticket, and twenty nominations could accomplish no more.

The provisions for nominations by petition will afford ample facility for the running of independent candidates for all proper purposes.

Laws embodying the above mentioned five principal features of the substitute herewith presented, have been enacted in several States of our Union; notably, and we think most perfectly, in the States of Massachusetts, Indiana, New Jersey, Washington, and Wisconsin, in all of which States they are reported to be very effective for the purposes for which they are intended, and to operate harmoniously and satisfactorily.

The same laws, in variously modified forms, have been enacted in New York and other States, and we are advised by recent press dispatches, that the Legislature of Oregon, profiting by the experience of her younger sister—Washington—has just passed a similar law.

Moved by the foregoing considerations, and firmly believing that the best interests of our State and country, and the cause of popular self-government, would be materially promoted thereby, we earnestly recommend the adoption of the substitute herewith presented.

McGOWAN, Chairman.
WELCH.
RAGSDALE.
McCOMAS.

Senator McGowan moved that the report of Committee on Elections be printed in the Journal.

So ordered.

ADJOURNMENT.

On motion of Senator Maher, the Senate stood adjourned at four o'clock and thirty minutes P. M.

IN SENATE.

SENATE CHAMBER,
Thursday, February 5, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser,

Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by Rev. A. T. Needham.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Maher moved that further reading of the Journal be dispensed with.

So ordered.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 245—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bills Nos. 517 and 330—have had the same under consideration, and respectfully report the same back without recommendation.

BANKS, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 278—have had the same under consideration, and respectfully report the same back, and recommend, as a substitute, the accompanying bill.

Also: Senate Bill No. 484—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Claims.

Senate Bill No. 484 referred to Committee on Claims.

Also: Senate Bill No. 499—have had the same under consideration, and respectfully report the same back, with the request that they may be permitted to combine it with Senate Bill No. 352.

Also: Senate Bill No. 479—An Act to provide for the establishment of High Schools in the State of California—have had the same under consideration, and respectfully report the same back amended, and recommend that it do pass as amended.

DENISON, Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 536—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

MAHER, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 385—An Act to authorize the State Board of Prison Directors to pay for certain skilled labor used in the construction of the dam and canal at the Folsom Prison, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass unanimously.

Also: Senate Bill No. 528—An Act to pay the claim of John Mullan, for services rendered in collecting from the United States money due the State of California on account of Indian War claims—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend that the substitute do pass.

Also: Senate Bill No. 529—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

DE LONG, Chairman.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. 392—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EVERETT, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bills Nos. 530, 20, 427, and 194—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Constitutional Amendment No 14—and recommend that it do pass.

Also: Senate Bill No. 140—and respectfully report the same back with an amendment, and recommend that it do pass as amended.

DARGIE, Chairman.

LEAVE OF ABSENCE.

Senator Campbell of Siskiyou asked leave of absence for Senator Preston for the balance of the week, on account of sickness.

Granted.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Maher: Senate Bill No. 560—An Act to prohibit the coming of Chinese persons into this State, whether subjects of the Chinese Empire or otherwise; and to provide a registration, and fix the status of all Chinese persons now resident of this State.

Referred to Committee on Federal Relations and Immigration.

By Senator Simpson: Senate Bill No. 561—An Act to extend the jurisdiction of the Board of State Harbor Commissioners over East Street, San Francisco.

Referred to Committee on Commerce and Navigation.

By Senator Wilson: Senate Bill No. 562—An Act to provide for the organization and government of districts to cut through ridges, to allow rapid flow from upper ponds down through the troughs to our great navigable rivers to tide water.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Campbell of Solano: Senate Bill No. 563—An Act to amend sections one thousand five hundred and seventy-seven, one thousand five hundred and seventy-eight, and one thousand five hundred and seventy-nine of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Referred to Committee on Judiciary.

By Senator Ostrom: Senate Bill No. 564—An Act to declare the bridge across Feather River, extending from Fifth Street, at the city of Marysville, in the county of Yuba, to the opposite bank of said river, a free bridge.

Referred to Committee on Roads and Highways.

Also: Senate Bill No. 565—An Act to amend an Act entitled "An Act to reorganize Swamp Land District No. 70, of Sutter County, and to provide for the construction, maintenance, and repairs of levees therein," approved March 27, 1878.

Referred to Committee on Public and Swamp and Overflowed Lands.

SPECIAL FILE.

Senate Bill No. 128—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes.

Bill passed on file.

The following Senate Constitutional Amendments were passed on file:

Senate Constitutional Amendment No. 3—A resolution to propose an amendment to section nine of article one of the Constitution of California, relating to the freedom of speech and of the press.

Senate Constitutional Amendment No. 7—To propose to the people of the State an amendment to the Constitution of the State, relative to poll tax.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section seven of article nine thereof, relating to the State Board of Education, compiling, printing, and distribution of text-books for the public schools of the State, and providing for County Boards of Education.

Senate Constitutional Amendment No. 11—A resolution to propose an amendment to sections fifteen and nineteen, article five, of the Constitution.

THIRD READING OF BILLS.

Senate Bill No. 148—An Act to provide for the construction and furnishing of a kitchen and dining-room at the Napa State Asylum for the Insane, and making an appropriation therefor.

Senator Banks asked that Senate Bill No. 148 be passed on file.

So ordered.

On motion of Senator Ostrom, Senate Joint Resolutions Nos. 11 and 7 were considered.

Senate Joint Resolution No. 11—Joint resolution memorializing Congress to pass an Act forfeiting to the General Government the lands granted to certain railroads, because of non-compliance by them with the Acts of Congress granting said lands.

The roll was called, and Senate Joint Resolution No. 11 was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Fraser, Hamill, Harp, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Simpson, Williams (Wm. H.), Williams (Geo. H.), and Wilson—28.

NOES—None.

Senate Joint Resolution No. 7—Relative to coast defense.

The roll was called, and Senate Joint Resolution No. 7 adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Hamill, Harp, Heacock, Langford, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Williams (Wm. H.), Williams (Geo. H.), and Wilson—29.

NOES—None.

On motion of Senator Ostrom, Senate Joint Resolutions Nos. 11 and 7 were ordered sent to the Assembly immediately.

Senate Bill No. 45 ordered passed on file until returned by the printer

RESOLUTION.

By Senator De Long:

Resolved, That Senate Bill No. 444 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, upon one day, and placed upon its passage.

Senator Campbell of Siskiyou raised the point of order that the time had passed, under the rules, which permitted resolutions of this character to be considered.

The Chair decided point of order well taken.

Senator De Long then introduced his resolution out of order.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Langford, Maher, Mahoney, McGowan, Mead, Ostrom, Ragsdale, Shippee, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—28.

NOES—Messrs. Bailey, Berry, Campbell of Solano, Crandall, Harp, McComas, and Simpson—7.

CASE OF URGENCY.

Senate Bill No. 444—An Act to amend section six hundred and forty-seven of the Penal Code, concerning vagrants.

Senator De Long moved that the hour of recess be extended until the business at hand be disposed of.

So ordered.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Mahoney, McComas, Ostrom, Ragsdale, Shippee, Voorhies, and Williams (Geo. H.)—22.

NOES—Messrs. Berry, Britt, Campbell of Solano, Carpenter, Harp, Langford, Maher, McGowan, Mead, Simpson, Welch, Williams (Wm. H.), and Wilson—13.

Title read and approved.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Senator Crandall: Senate Bill No. 566—An Act to amend sections one thousand three hundred and fifty-two, one thousand three hundred and seventy, and one thousand seven hundred and fifty-one of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the disabilities of married women to act as executors, administrators, or guardians.

Referred to Committee on Judiciary.

RECESS.

At twelve o'clock and ten minutes P. M. the Senate took a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

REPORTS ON STANDING COMMITTEES—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 521—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DE LONG, Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 451—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAHER, Chairman.

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, February 4, 1891.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Senate Bill No. 387—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VOORHIES, Chairman.

LEAVE OF ABSENCE.

Senator Dargie asked leave of absence for Senator Streeter, on account of illness.

Granted.

CORRECTION.

Senator Berry moved to correct yesterday's Journal, so as to show that Senate Bill No. 5 had been read second time, and ordered engrossed and on file for third reading.

So ordered.

THIRD READING OF BILLS.

Assembly Bill No. 211—An Act to increase the police force of the various cities, and cities and counties, of the State, and to provide for the appointment of such extra police officers and for the payment of their salaries.

Senator Heacock moved that Assembly Bill No. 211 be passed until it be returned from the printer, with amendments, and that it retain its place on file.

So ordered.

Senator Wilson moved the reconsideration of the vote by which Senate Bill No. 267 was refused passage yesterday.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Welch, Williams (W. H.), Williams (Geo. H.), and Wilson—31.

NOES—None.

Senator Wilson moved that the bill be made a special order for Monday next, at two o'clock P. M.

So ordered.

Senator Maher moved the reconsideration of the vote by which Assembly Bill No. 132 was yesterday refused passage.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Banks, Berry, Britt, Carpenter, Dargie, De Long, Denison, Everett, Flint, Fraser, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Sprague, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—25.

NOES—Messrs. Bailey, Crandall, Dray, and Heacock—4.

Assembly Bill No. 132—An Act to amend an Act entitled "An Act in relation to certain deputies, assistants, and copyists of County Clerks," approved April 2, 1880.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—30.

NOES—None.

Title read and approved.

Senator Geo. H. Williams moved that Senate Bill No. 45 be now considered.

So ordered.

Senate Bill No. 45—An Act to amend section three hundred and thirty of an Act entitled "An to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ragsdale, Shippee, Simpson, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—29.

NOES—None.

Title read and approved.

SPECIAL ORDER.

The hour set aside for the consideration of Substitute for Senate Bill No. 169 having arrived, Senator McGowan moved that the Substitute for Senate Bill No. 169 be taken up.

So ordered.

SECOND READING OF BILL.

Substitute for Senate Bill No. 169—An Act to create a Board of State Harbor Commissioners for Humboldt Bay, to provide for the appointment of such Commissioners, to form and create a fund to be known as the Humboldt Bay Improvement Fund, and to appropriate the sum of twenty thousand dollars therefor.

The following amendments were offered to Substitute for Senate Bill No. 169.

Senator McGowan moved to amend by striking out of section one, line one, the word "five," and inserting in lieu thereof the following: "three."

Adopted.

Senator Heacock moved to amend by striking out of section twenty, line one, the word "twenty," and inserting therefor the word "ten."

Adopted.

Also amend as follows: Add at end of section twenty the words "out of the Humboldt Bay Improvement Fund."

Adopted.

Also amend as follows: After the word "paid," in line three, section twenty-two, insert the following: "and such payment shall be made out of the Humboldt Bay Improvement Fund."

Adopted.

Also moved to amend as follows: After the word "same," in line nine, section twenty-two, insert, "out of the Humboldt Bay Improvement Fund; and no liability shall in any event accrue against the State for any deficiency in said fund; and any and all indebtedness or liability hereafter created which, together with the salaries of the members of said Board, and the pay of the other officers and employés, shall be in excess of the amount of money in said fund at the time of the creation of such indebtedness or liability, shall be absolutely null and void."

Adopted.

Senator McGowan moved to amend by striking out of section twenty-two, line two, the word "five," and inserting in lieu thereof the word "three."

Adopted.

Also: Amend by striking out of title the word "twenty," and inserting in lieu thereof the word "ten."

Adopted.

Bill read second time, ordered engrossed as amended, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 476—An Act to amend section four thousand one hundred and two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the age, citizenship, and residence of district and township officers and their deputies.

Also: Senate Bill No. 495—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

Also: Senate Bill No. 531—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Also: Senate Bill No. 538—An Act to amend section one thousand two hundred and forty-three of an Act entitled "An Act to establish a Penal Code," approved April 14, A. D. 1872, in relation to appeals.

Respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 537—An Act to amend section fifty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to the appellate jurisdiction of the Supreme Court—respectfully report the same back, and recommend that it do pass as amended.

SPRAGUE, Chairman.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 287—An Act to amend section ninety-two of the Civil Code, and to add a new section to the Civil Code, to be designated as section one hundred and eight, concerning divorces.

Also: Senate Bill No. 74—An Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire.

Also: Senate Bill No. 134—An Act to amend sections one thousand one hundred and eighty-seven and one thousand one hundred and eighty-nine, and to repeal sections one thousand one hundred and eighty-six and one thousand one hundred and ninety-one of the Civil Code, relating to the recording and the acknowledgment of transfers.

Also: Senate Bill No. 281—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations.

Also: Senate Bill No. 45—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Also: Senate Bill No. 47—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of incorporated cities, city and county, or towns.

Also: Senate Bill No. 240—An Act to amend sections three thousand and seventy-seven, three thousand and seventy-eight, three thousand and eighty, and three thousand and eighty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the registry of births, deaths, and marriages.

Also: Senate Bill No. 145—An Act authorizing and requiring Boards or Commissions having the management and control of paid police forces to grant the members thereof yearly vacations.

Also: Senate Bill No. 176—An Act to ascertain and express the will of the people of the State of California upon the subject of election of United States Senators.

Also: Senate Bill No. 4—An Act to amend section two thousand six hundred and eighty-two of the Political Code of the State of California, in relation to the character of petitions to be presented for the purpose of altering, laying out, or constructing, or discontinuing, or abandoning, of any public highway.

Also: Senate Bill No. 66—An Act to regulate the sale of olive oil.

Also: Senate Bill No. 69—An Act to amend section one thousand three hundred and twenty-nine of the Penal Code of the State of California, relative to the payment of the necessary expenses of witnesses in criminal cases.

Also: Senate Bill No. 104—An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes.

Also: Senate Bill No. 116—An Act to amend section five hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the office of Superintendent of State Printing, and providing for the election of such officer.

Also: Senate Bill No. 117—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service and upon the public works of the State of California of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

Also: Senate Bill No. 118—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Also: Senate Bill No. 133—An Act to amend an Act entitled an Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State," approved March 19, 1889.

Also: Senate Bill No. 256—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Also: Senate Bill No. 268—An Act to amend section two thousand nine hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the preservation of the public health.

RAGSDALE, Chairman.

SPECIAL ORDER.

The hour for the consideration of Senate Constitutional Amendment No. 8 having arrived, Senator Heacock moved that it be now taken up.

So ordered.

Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article seven thereof, relative to the pardoning power.

AMENDMENTS.

Senator Heacock move to amend by adding at the end of section: "Nor shall any pardon or commutation of sentence be granted within six months before the expiration of the term of office of the majority of said Board."

Adopted.

The roll was called, and Senate Constitutional Amendment No. 8 was adopted, as amended, by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Brynes, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Simpson, Sprague, Welch, Williams (W. H.), Williams (Geo. H.), and Wilson—29.

NOES—None.

President pro tem. Fraser in the chair.

Senator Heacock, by unanimous consent, moved a reconsideration of the vote by which Senate Constitutional Amendment No. 8 was adopted.

Motion carried.

On motion of Senator Heacock, Senate Constitutional Amendment No. 8 was ordered printed, as amended, and to take its place at the head of the file.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Carpenter: Senate Bill No. 567—An Act to amend section three hundred and nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to declaring dividends by Directors of corporations, and repealing section three hundred and nine of said Code.

Referred to Committee on Judiciary.

By Senator McGowan: Senate Bill No. 568—An Act to establish Boards of Commissioners for the parole of and government of paroled prisoners.

Referred to Committee on Judiciary.

By Senator Simpson: Senate Bill No. 569—An Act to empower the State Board of Harbor Commissioners to rectify the alignment of East Street, from Pacific Street to Market Street, in the City and County of San Francisco, and to sell, acquire, and condemn adjacent property.

Referred to Committee on Commerce and Navigation.

By Senator Sprague: Senate Bill No. 570—An Act to authorize Robert C. Ball to sue the State of California.

Referred to Committee on Judiciary.

By Senator Harp: Senate Bill No. 571—An Act to amend section two hundred and sixty-five and two hundred and sixty-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to Secretaries, Bailiffs, and Librarian of the Supreme Court.

Referred to Committee on Judiciary.

Also: Senate Bill No. 572—An Act to amend section two thousand three hundred and fourteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Librarian of the Supreme Court Library.

Referred to Committee on Judiciary.

Also: Senate Bill No. 573—An Act to amend section seven hundred and thirty-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the salaries of officers of the Supreme Court.

Referred to Committee on Judiciary.

Also: Senate Bill No. 574—An Act to provide for the deficiency in the appropriation for expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the fortieth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 575—An Act to provide for the deficiency in the appropriation for expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the forty-first fiscal year.

Referred to Committee on Finance.

By Senator Campbell of Solano: Senate Bill No. 576—An Act to amend section one hundred and eighty-two of the Penal Code, relating to conspiracy.

Referred to Committee on Judiciary.

By Senator McComas: Senate Bill No. 577—An Act to amend section two thousand six hundred and fifty-two of the Political Code of the State of California, relating to the levy and collection of road poll taxes.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 91—An Act to provide for the issuance and sale of State bonds, to create a fund for the construction and furnishing by the Board of State Harbor Commissioners of a general ferry and passenger depot in the City and County of San Francisco, to create a Sinking Fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people.

Also: Senate Bill No. 115—An Act to authorize the Adjutant-General to issue arms and accouterments to regularly organized Camps of the Order of Sons of Veterans in the State of California.

Also: Senate Bill No. 444—An Act to amend section six hundred and forty-seven of the Penal Code, concerning vagrants.

Also: Senate Bill No. 5—An Act to add a new section to the Political Code, to be numbered two thousand six hundred and twenty-three, in relation to vacating public roads.

RAGSDALE, Chairman.

THIRD READING OF BILLS.

Substitute for Senate Bill No. 278 was taken up.

Substitute for Senate Bill No. 278—An Act to prohibit the sale of intoxicating liquors within one mile of any reform school where juveniles are confined or kept.

On motion of Senator McComas, Senator Heacock was appointed a special committee of one, with instructions to amend by inserting an enacting clause.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Committee Substitute for Senate Bill No. 278, to amend by inserting an enacting clause, have had the same under consideration, and respectfully report the same back amended as per your instructions.

HEACOCK, Committee.

LEAVE OF ABSENCE.

Senator Crandall asked leave of absence for the balance of the week.

Granted.

Senator Carpenter moved that the rules be suspended to-day, and that at four o'clock the Senate proceed to the consideration of the first reading file, in order to permit the Committee on Corporations to meet.

So ordered.

On motion of Senator Heacock, substitute for Senate Bill No. 278 was ordered printed, as amended, and be returned to its place on file.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 121—An Act to repeal an Act entitled "An Act to declare the Klamath River navigable."

Bill read third time.

Senator Campbell of Siskiyou submitted the following reports, which were read by the Secretary, and ordered printed in the Journal:

[From Report of Secretary of War—1882.]

WAR DEPARTMENT,
WASHINGTON CITY, March 6, 1882.

To the Speaker of the House of Representatives, Washington, D. C.:

The Secretary of War has the honor to transmit to the House of Representatives for the information of the Committee on Commerce, in further compliance with provision in the River and Harbor Act of June 14, 1880, a copy of the final report of Lieutenant-Colonel G. H. Mendall, Corps of United States Engineers, together with the letter of Chief Engineer, dated the sixth instant, forwarding the same to this department.

(Signed:) ROBERT T. LINCOLN,
Secretary of War.

The report reads:

To the HON. ROBERT T. LINCOLN, *Secretary of War, Washington, D. C.:*

The navigable waters of California affected by hydraulic mining consists of the bays of Suisun, San Pablo, and San Francisco, forming the great estuary of California, and of the rivers, the Sacramento, San Joaquin, and Feather. On page nine of report, paragraph nine reads:

It may be remarked that in addition there are on the Klamath and the Trinity, one of its branches, quite important placers which are now worked. The detritus is lodged in the rivers which are neither navigable nor tributaries of navigable rivers, so that this separate mining district is not thought to come within the limit of this investigation. The Klamath empties into the Pacific Ocean some miles south of the northern boundary of California.

(Signed:) G. H. MENDALL,
Lieut.-Col. U. S. Corps Engineers.

PRELIMINARY EXAMINATION OF KLAMATH RIVER, CALIFORNIA, ENTRANCE AND INSIDE BARS, TO HEAD OF NAVIGATION.

UNITED STATES ENGINEER OFFICE,
SAN FRANCISCO, CAL., November 12, 1888.

GENERAL: I have the honor to submit the following report as the result of my examination of the "Klamath River, entrance and inside bars, to head of navigation," as required by Act of Congress of August 11, 1888:

The examination of the mouth of the river was made by myself on October 23, 1888.

The Klamath River rises in southern Oregon, flows through portions of Siskiyou, Del

Norte, and Humboldt Counties, California, and at and near its mouth, where it flows into the Pacific Ocean, it forms part of the boundary line between Del Norte and Humboldt Counties, California. As the river is only navigable, except for canoes, for about two miles above its mouth, where navigation ceases, only this lower part or mouth of the river was examined. The other information contained in the report was obtained in conversation with settlers at the mouth of the river. Both banks of the river, for several miles above its mouth, are quite high—perhaps eight hundred feet or more—and have quite a deep slope down to the water's edge. In these slopes occasional rock crops out, which appears to be a metamorphic sandstone. A few miles higher up the river the banks are heavily timbered. At the mouth of the river, on the right bank, is a dairy ranch. About one mile up the river is a fish cannery, having a store connected with it, three enlisted men to protect the Indians, and about a dozen or so of Indian huts or cabins. All the land on both sides of the river is said to be an Indian reservation, and not open to settlers.

Extending from both banks of the river at its mouth are two low, flat sand-spits, not over fifty to seventy-five yards in width, the crest of which is not more than two to three feet above high-tide level; these spits approach each other to within about sixty yards, and through this little opening, when it is open, the Klamath River finds its way to the ocean. Occasionally this spit is entirely across the mouth of the river, forming a bar or dam, and remains so for a day or more, until the pent-up water in rear breaks through and again reopens the river. On January 2 and 5, 1888, the river was thus closed. When the river has forced an opening through this dam or bar, the current rapidly widens and deepens this opening. At the time of my inspection this opening was about sixty yards wide, and in its deepest part, measured at low water, there was said to be a depth of about six feet. Outside of this bar, seaward of it, is the ocean bar, which has a variable depth of water over it, which is quite flat and extends seaward for fully half a mile and perhaps more. On October 25, 1888, this whole area for fully half a mile seaward was what sailors call "feather white," and a tug-boat captain, whose little tug was lying inside the river, said there was not over five feet of water on this outer bar. During the winter season, after the rains have set in and the river is high, its current is rapid, and scours a channel over this outer bar, which is generally maintained until the following September or October, when the storms on the coast, the heavy sea, and the absence of any current in the river, combine to aid in the closure of the channel. During the past season vessels have passed into and out of the mouth of the Klamath, and found at high water twelve to fifteen feet of depth in the channel. At present vessels cannot pass in or out even at high tide with safety. At the mouth of the river its width from high bank to high bank appears to be nearly a mile; the only actual survey available, a reconnaissance made by the Coast Survey, about 1872, gives the width at the mouth at three hundred and fifty meters. Just inside the two sand-spits, herein referred to, the river is one thousand nine hundred and sixty meters wide, and this stretch of river contains a sand-bar near its left bank, which at low water is bare, but at high water is covered, which may account for the discrepancy in width, as shown by the Coast Survey reconnaissance and as stated by me. The ordinary rise and fall of the tide at this locality is a little less than four feet. When the bar or dam was entirely across the mouth of the river, its crest must have been higher than at present, for the level of the water in the river one mile above its mouth rose about six feet above the level of that of ordinary high tide, and remained so for portions of two days, until a channel was cut through the spit and the flow of the river became unobstructed. Once inside the barrier at the mouth of the river, the anchorage is good, and has an area of a little less than one square mile; at high water a boat drawing five feet might get up the river for about two miles above the mouth, where a sand and gravel bar is found; if this bar could be crossed another pool would be found which would enable the same vessel to get, say, five miles farther up the river to Turip, an Indian village. Beyond this nothing but canoes could float; the river is said to be full of rapids and bars, and in these rapids the rocks are said to be so close together and sticking up above the surface, that it is difficult to pass between them even with a canoe.

During the past year all the commerce which is at the mouth of the river was handled by two small steam-tugs and three schooners. Each of the schooners, "Sparks," "Mayflower," and "Helen Mary," made one trip, while the tugs ran in and out frequently. The shipments consisted of eight thousand five hundred cases canned salmon, seven hundred and fifty barrels fish, fifty barrels butter, and about fifteen cords tanbark, valued in all at about sixty thousand dollars. There are two companies or firms engaged in the fishing business at the mouth of the river. The season lasts from April to November; about sixty men are employed in the aggregate, of whom about one half are Indians. All the commerce on the river comes from these two fishing interests; there is no other commerce or any opening for it until the lands bordering on the river shall have been opened to settlers; the timber interests would then play an important part. The amount of agricultural land bordering on the river is said to be insignificant. If the mouth of the river were improved it would permit vessels such as run there to ply two, or perhaps, three months longer in the year than at present. The bar becomes shoal some time in October and continues so during November, December, and part of January. During these months it would be almost impossible for any dredging machine to work on the outer bar; hence, to improve the channel and maintain it to a depth of, say, seven feet at low water, it would be necessary to build two high jetties seaward, say each to be from one half to three quarters of a mile in length; they would have to be built of rock sufficiently strong to resist the action of violent storms, and during storms it would then be dangerous, if not impossible, for vessels to approach the outer end of the jetties. The low

sand-spit across the mouth of the river would also have to be enrocked so as to keep it from shifting. This enrockment would have to be strong enough to resist violent wave action, and would have to be nearly a mile in length, starting from the bank at each side of the river and terminating at the inner ends of the jetties. A very rough estimate shows that the volume of rock required would measure at least nine hundred and sixty thousand cubic yards, which, at four dollars per cubic yard, would make the work cost three million eight hundred and forty thousand dollars, an amount entirely too large to be expended for any present or prospective requirements of commerce at this place.

In fact, from my examination of the mouth of this river, I have no hesitation in saying that its improvement is not a public necessity, and that the Klamath River, in consequence of the comparatively small benefit to be derived from the improvement, is unworthy of being improved.

Respectfully submitted.

W. H. HEUER,
Major of Engineers.

To the CHIEF OF ENGINEERS, U. S. A.

Senator Campbell of Siskiyou moved that further consideration of Assembly Bill No. 121 be made a special order for next Monday, at two o'clock and thirty minutes P. M.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 4, 1891.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 492—have had the same under consideration, and respectfully report the same back, and recommend that the inclosed substitute for said bill do pass.

BANKS, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 17—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CRANDALL, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Senator Banks (by request): Senate Bill No. 578—An Act for the relief of Barnaby Dougherty.

Referred to San Francisco Delegation.

By Senator G. H. Williams: Senate Bill No. 579—An Act for the relief of Emma Kelly, widow of G. H. Kelly, and appropriating ten thousand dollars therefor.

Referred to Committee on Claims.

FIRST READING OF BILLS.

Assembly Joint Resolution No. 4—Joint resolution relating to the improvement of Humboldt Bar.

MOTIONS.

Senator Carpenter moved a call of the Senate.

Motion lost.

Assembly Joint Resolution No. 4 passed temporarily on file.

Senator Broderick moved that the consideration of Senate Joint Reso-

tion No. 4 be made a special order for to-morrow, at eleven o'clock and forty-five minutes A. M.

So ordered.

No objection being made, the Chair ordered that Senate Joint Resolutions Nos. 4, 5, 3, 6, and 12, and Assembly Joint Resolution No. 7 be passed on file.

FIRST READING OF BILLS—(RESUMED).

The following bills were read first time and ordered on file for second reading:

Senate Bill No. 147—An Act amending sections one thousand one hundred and eighty three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887; and section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885; relating to liens of mechanics and others.

Senate Bill No. 327—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add a new section thereto, to be known as section one thousand eight hundred and ten, relating to the power of guardians to settle and compromise claims against the estates of their wards.

Senate Bill No. 382—An Act to prohibit the buying and selling of the shares of the capital stock of corporations in any stock board, stock exchange, or stock market under the control of any association.

Senate Bill No. 410—An Act to amend section one hundred and fifty-eight of the Code of Civil Procedure of the State of California.

Senate Bill No. 383—An Act declaring contracts for the sale of the capital stock of corporations or associations on margin unlawful, and defining and declaring certain contracts to be such as are declared unlawful.

Senate Bill No. 468—An Act to amend section fifty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to powers in appealed cases.

Senate Bill No. 444—An Act to amend section six hundred and forty-seven of the Penal Code, concerning vagrants.

Senate Bill No. 252—An Act for the relief of the heirs of Michael Curran, deceased.

Senate Bill No. 37—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity.

Senate Bill No. 38—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town.

Senate Bill No. 405—An Act to amend section three hundred and twenty of the Penal Code of the State of California, relative to lotteries.

Senate Bill No. 251—An Act entitled an Act to prohibit the publication in any newspaper, periodical, publication, or pamphlet, of any list,

or partial list, of numbers of tickets, checks, or coupons, entitled to prizes resulting from the drawing of any lottery, or to publish any account of any person having drawn a prize in any lottery, and to provide a penalty for violating this Act.

Senate Bill No. 352—An Act to amend sections one thousand five hundred and forty-eight, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and sixty, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and forty-nine, one thousand six hundred and sixty-two, one thousand six hundred and sixty-five, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, and one thousand seven hundred and ninety-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Senate Bill No. 53—An Act to amend section one of an Act entitled "An Act to amend section one, to repeal sections two, three, four, five, six, seven, eight, nine, ten, and eleven, and to renumber sections twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, and nineteen of an Act entitled 'An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same,' approved April 15, 1880, amended March 6, 1883, amended March 9, 1885, amended March 14, 1885, amended March 9, 1887, to repeal all laws amendatory thereof, and to provide for the reorganization of existing districts, and the formation of new districts," approved March 6, 1889, and to provide for the reorganization of existing districts, and to form a new agricultural district.

Senate Bill No. 193—An Act to amend section eleven of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, so as to create an additional district.

Senate Bill No. 280—An Act to amend section one of an Act entitled "An Act to amend section one, to repeal sections two, three, four, five, six, seven, eight, nine, ten, and eleven, and to renumber sections twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, and nineteen of an Act entitled 'An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same,' approved April 15, 1880, amended March 6, 1883, amended March 9, 1885, amended March 14, 1885, amended March 9, 1887, to repeal all laws amendatory thereof, and to provide for the reorganization of existing districts and the formation of new districts," approved March 6, 1889, to divide Agricultural District No. 19, and to create an additional agricultural district, to be known and designated as Agricultural District No. 30.

Senate Bill No. 216—An Act to prevent the destruction of young fish in mill-races, irrigating ditches, flumes, and canals.

Senate Bill No. 217—An Act to authorize the Board of Fish Commissioners of this State to establish a trout hatchery at or near the city of San Francisco, and making an appropriation therefor.

Senate Bill No. 442—An Act to amend section three and section thirteen of an Act entitled "An Act to promote drainage."

Senate Bill No. 400—An Act to authorize the Controller of State to issue a duplicate Controller's warrant.

Senate Bill No. 404—An Act to appropriate money for the erection of a monument on the plot of the Sacramento Veterans of the Mexican war, in the City Cemetery of Sacramento.

Senate Bill No. 409—An Act to appropriate money for the erection of a monument in Golden Gate Park, in the City and County of San Francisco, in memory of the late General M. G. Vallejo.

Senate Bill No. 420—An Act to amend sections one and two of an Act entitled "An Act concerning lodging houses and sleeping apartments within the limits of incorporated cities," approved April 3, 1876.

Senate Bill No. 269—An Act to amend sections five hundred and one and five hundred and eight of the Civil Code, relative to street railroads and street railroad corporations in cities, cities and counties, or towns.

Senate Bill No. 237—An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Senate Bill No. 222—An Act requiring every person, company, or corporation supplying water to any municipality, or the inhabitants thereof, in the State of California, to construct water mains where, and of the size, designated by the governing body of the municipality, and to furnish water where designated, upon demand and payment of rates, as long as the supply is sufficient, and prescribing a penalty for non-compliance.

Senate Bill No. 367—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State.

Senate Bill No. 236—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known as section three hundred and eight, relating to the sale and use of opium, or any preparation thereof.

Senate Bill No. 44—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Senate Bill No. 469—An Act to amend sections two, three, four, five, seven, nine, thirteen, twenty-four, twenty-six, thirty-four, thirty-five, and thirty-seven of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relative to the mode of assessing and otherwise providing for said work.

Senate Bill No. 428—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part two of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relative to a system of street improvement certificates.

Senate Bill No. 195—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, and to add a new section thereto, to be called section

thirty-eight, relating to the change of grades of public streets, avenues, and places within municipalities.

Senate Bill No. 470—An Act to amend an Act entitled "An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a Board of Directors for the government thereof, and appropriating the sum of sixty-five thousand dollars for the support of said Home," approved March 17, 1887.

Senate Bill No. 399—An Act to amend section one thousand and ninety-four of "An Act to establish a Political Code," approved March 12, 1872, approved March 20, 1889, relating to elections.

Senate Bill No. 456—An Act to amend section one thousand and ninety-six of the Political Code of the State of California, in relation to registration of voters.

Senate Bill No. 62—An Act for the relief of Patrick Creighton.

Senate Bill No. 463—An Act to establish a naval battalion, to be attached to the National Guard of California.

Senate Bill No. 471—An Act expressing assent of the State of California to the Act of Congress, approved August 30, 1890, entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an Act of Congress, approved July 2, 1862, and to the purposes of the grants of moneys authorized thereby, and to all the provisions thereof."

Senate Bill No. 248—An Act to appropriate the sum of eighty thousand dollars for the building of a medical college in the City and County of San Francisco, to be a part of the University of California.

Senate Bill No. 417—An Act to validate and make legal acknowledgments, affidavits, and oaths made before and taken by any person acting as a Notary Public under appointment by the Governor of the State of California, in certain cases, and to validate and make legal all the acts and transactions of such person while acting as such Notary Public.

Senate Bill No. 431—An Act to amend sections one thousand two hundred and seventeen, one thousand two hundred and twenty, one thousand two hundred and twenty-one, one thousand two hundred and twenty-three, one thousand two hundred and twenty-four, one thousand two hundred and twenty-five, one thousand two hundred and twenty-six, one thousand two hundred and twenty-seven, one thousand two hundred and twenty-nine, and one thousand two hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to execution of judgment of death.

Senate Bill No. 276—An Act to repeal section three thousand eight hundred and eighteen of the Political Code, relating to preferred purchasers for lands sold to the State for taxes.

Assembly Bill No. 51—An Act relating to District Attorneys, their assistants and clerks, in counties, and cities and counties, having a population of more than one hundred and twenty-five thousand.

ADJOURNMENT.

On motion of Senator Everett, the Senate stood adjourned at four o'clock and thirty minutes P. M.

IN SENATE.

SENATE CHAMBER,
Friday, February 6, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by Rev. A. T. Needham.

READING OF THE JOURNAL.

During the reading of the Journal, Senator McComas moved that further reading of the Journal be dispensed with.

So ordered.

Journal of February 4, 1891, approved.

Senator Flint asked leave of absence for Senator De Long for to-day.

Granted.

COMMUNICATION.

The following communication from the Warden of the State Prison at San Quentin was presented:

SAN QUENTIN, CAL., February 1, 1891.

Hon. F. J. BRANDON, *Secretary of the Senate, Sacramento, Cal.:*

DEAR SIR: I have the honor to acknowledge the receipt of your communication, dated January 31, 1891, containing the resolution adopted by the Senate on January thirtieth, requesting me to furnish to the Senate before the seventh day of February, proximo, the total cost to the State of the manufacture of grain bags during the calendar year ending December 31, 1890, the number of bags manufactured during the same time, and the cost per bag.

The following comprises the desired information:

Total net operating cost of the Jute Mill during the year ending December 31, 1890, $194,777 16; number of grain bags manufactured during the same period, 3,323,169; cost per bag, including baling and delivery at wharf, San Francisco, $5\frac{8345}{10000}$ cents.

The total manufacturing cost for this period is divided as follows:

Value of raw jute used	$128,699 31
Spinning and weaving expenses	57,500 97
Sewing expenses, exclusive of value of jute twine used in sewing, which is already included in value of raw jute used	5,308 03
Rope (manilla) used in baling goods	1,475 45
Freight on manufactured goods	1,793 40
Total	$194,777 16

The number of grain bags on hand on January 1, 1890, was	961,550
Manufactured during the year	3,323,169
	4,284,719
Sold during the year	3,262,919
Number on hand December 31, 1890, available for sale	1,021,800

Very respectfully,

JOHN McCOMB, Warden.

Senator Ostrom moved that five hundred copies of the communication be printed.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 6, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Substitute for Senate Bill No. 331—An Act making an appropriation to pay the deficiency in the appropriation for the salaries of the members and officers of the Board of State Harbor Commissioners for the Bay of San Diego, for the fortieth, forty-first, and forty-second fiscal years.

Also: Senate Bill No. 274—An Act to provide for the assessment of property, and to provide a penalty for the failure or neglect of Assessors to perform their duty in making assessments.

RAGSDALE, Chairman.

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Senate Joint Resolution No. 15—Relative to the prevention of the importation of opium—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. H. WILLIAMS, Chairman.

MOTION.

Senator Heacock moved that Senate Joint Resolution No. 15 be considered immediately.

By request of Senator Ostrom, the resolution was read for information.

Senator Heacock's motion to consider the resolution immediately was then adopted.

Senate Joint Resolution No. 15—Relative to the prevention of the importation of opium—was then adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—31.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 6, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 414—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for clerks and a phonographic reporter in the office of the Attorney-General, and fixing their salaries.

Also: Senate Bill No. 415—An Act entitled an Act to amend section four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries.

Also: Senate Bill No. 439—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a section thereto, to be known as section two thousand and eighty, and providing for the manner of proving the formation of corporations.

Also: Assembly Bill No. 197—An Act to amend section two thousand six hundred and eighty-four of the Political Code of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 375—An Act authorizing the Attorney-General to dismiss those certain actions pending in the Superior Court of the City and County of San Francisco, and numbered eleven thousand seven hundred and six, eleven thousand nine hundred and twenty-five, and eleven thousand nine hundred and twenty-six, upon payment to him for the use of the State of certain moneys.

Also: Assembly Bill No. 52—An Act to amend sections fifty-eight and seven hundred and ninety-two of the Political Code, so as to authorize the appointment of women as Notaries Public.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

SPRAGUE, Chairman.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, February 6, 1891.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 475—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FRASER, Chairman.

PRESENTATION OF PETITIONS—(OUT OF ORDER).

Senator Ostrom presented a petition from citizens of Waterloo, California, relative to the formation of mutual insurance companies.

Senator McComas presented a petition from citizens of Butte, and several other counties, aggregating two thousand eight hundred and twenty-two signatures, relative to the passage of the anti-tobacco law.

Senator McComas also presented the following petition from Los Angeles County:

OFFICE OF THE BOARD OF SUPERVISORS OF LOS ANGELES COUNTY, CAL., LOS ANGELES, CAL., January 31, 1891.

To the honorable Senate and Assembly of the State of California:

WHEREAS, We recognize fruit growing as the leading industry of this country; and whereas, the ravages of the various insect pests in the past (which are now happily under control) have shown how inimical they are to the fruit industry; and whereas, we believe that the County Boards of Horticulture have done good and efficient service in checking the ravages of insect pests and preventing their spread from affected to unaffected districts; and whereas, our observation has convinced us that the laws should be so amended as to increase the efficiency of the horticultural officers; therefore,

Resolved, That looking to the best interests of this county, we hereby urgently request our representatives in Senate and Assembly to use all honorable means to secure the passage of the bill now pending in the Assembly, entitled "An Act to amend an Act to protect and promote horticultural interests of the State."

Resolved, That copies of these resolutions be forwarded to our representatives in Senate and Assembly.

Witness my hand and the seal of the Board of Supervisors of Los Angeles County, Cal., this thirty-first day of January, 1891.

T. H. WARD, Clerk.
By HENRY S. KNAPP, Deputy.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 155—An Act to define the qualifications of persons performing labor for the State of California, and fixing a penalty for the violation thereof.

Also: Assembly Bill No. 209—An Act to authorize cities of not less than twenty six thousand nor more than thirty thousand inhabitants, to vote upon the question of paying indebtedness incurred in the years 1889 and 1890.

Also: Assembly Bill No. 308—An Act making an appropriation to pay the deficiency in the appropriation for the salary of the Executive Secretary to the Governor for the forty-first and forty-second fiscal years.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 224—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections one, two, three, four, eleven, twelve, thirty-five, and forty-two thereof, relating to irrigation districts.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Assembly Bill No. 155 referred to Committee on Labor and Capital.

Assembly Bill No. 209 referred to Committee on Judiciary.

Assembly Bill No. 308 referred to Committee on Finance.

Assembly Bill No. 68 referred to Committee on City, City and County, and Town Governments.

Assembly Bill No. 224 referred to Committee on Irrigation and Water Rights.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 6, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 3—An Act to amend section two thousand six hundred and eighty-eight of the Political Code of the State of California, concerning the hearing of the reports of viewers of public highways by Boards of Supervisors, and the manner, time, and place of hearing such report, and the method of giving notice of such time and place to non-consenting land owners, and concerning damages to be awarded on such hearing.

Also: Senate Bill No. 34—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to the redemption of property sold for delinquent taxes, and the notices to be given by the purchasers of property at delinquent tax sales before applying for a deed.

Also: Senate Bill No. 90—An Act to amend an Act entitled "An Act to amend section six of an Act entitled 'An Act concerning the waterfront of the City and County of San Francisco,' approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners," approved March 17, 1889.

Also: Senate Bill No. 92—An Act to provide penalties for failure to pay tolls, by false returns or otherwise, to Board of State Harbor Commissioners.

Also: Senate Bill No. 151—An Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State," approved March 14, 1881, as amended by chapter two hundred and sixty-five of the laws of 1889, approved March 19, 1889.

Also: Senate Bill No. 262—An Act making an appropriation to pay the deficiency in the appropriation for the salary of the Executive Secretary to the Governor for the forty-first and forty-second fiscal years.

Also: Senate Bill No. 342—An Act to provide for the appointment of a guardian for the Marshall monument and grounds, prescribing his duties, and appropriating money therefor.

RAGSDALE, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Sprague: Senate Bill No. 580—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by adding thereto a new section, to follow section three hundred and forty-eight thereof, to be numbered section three hundred and forty-nine, relating to the time of commencing and maintaining action other than for the recovery of real property.

Referred to Committee on Judiciary.

By Senator Ostrom: Senate Bill No. 581—An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure of California.

Referred to Committee on Judiciary.

SPECIAL ORDER.

The hour having arrived which was set aside for the consideration of Senate Joint Resolution No. 4, Senator Broderick moved that it be now taken up.

So ordered.

SENATE JOINT RESOLUTION No. 4.

Relative to the abolishment of the duty on grain bags, burlaps, gunnys, or gunny cloth.

WHEREAS, The farmers of the Pacific Coast use about thirty-five million grain bags each year; and whereas, of that number only five million are of local manufacture, and do not affect the price of the imported sack; and whereas, the tax upon the materials of which the sacks are made is almost entirely collected on the Pacific Coast; and whereas, the tariff tax imposed upon grain bags has not increased the amount of local product, has not increased the number of white laborers employed in such industry, has not increased the wages of any employé, but has only resulted in an increase of the cost of the article to the consumer; therefore, be it

Resolved by the Senate, the Assembly concurring, That our Senators and Representatives in Congress be requested to use all honorable means to have the duty on grain bags, burlaps, gunnys, or gunny cloth, abolished.

Resolved, That the Governor be requested to forward a copy of the above resolution to each of our Senators and Representatives in Congress.

The roll was called, and Senate Joint Resolution No. 4 was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Denison, Dray, Everett, Goucher, Hamill, Harp, Heacock, Langford, Mahoney, McComas, Mead, Ostrom, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—28.

NOES—None.

LEAVE OF ABSENCE.

Senator W. H. Williams asked leave of absence for Senator Harp, from noon to-day until Monday.

Granted.

SPECIAL FILE.

Senator Ragsdale moved that Senate Bill No. 128—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes—be passed on file temporarily.

So ordered.

Senator Goucher moved that Senate Constitutional Amendment No. 3—A resolution to propose an amendment to section nine of article one of the Constitution of California, relating to the freedom of speech and of the press—be passed temporarily on file.

So ordered.

Senator Dray moved that Senate Constitutional Amendment No. 7—To propose to the people of the State an amendment to the Constitution of the State, relative to poll tax—be passed temporarily on file.

So ordered.

Senator Heacock moved that all constitutional amendments be passed temporarily on file.

So ordered.

THIRD READING OF BILLS.

Senate Bills Nos. 148, 211, and 278 were passed on file.

Senator Sprague moved that Senate Bill No. 2 be passed on file.

So ordered.

On motion of Senator Berry, Senate Bill No. 214 was passed on file.

On motion of Senator Berry, Senate Bill No. 6—An Act in relation to reassessments of property and the equalization of the same in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said assessment—was made a special order for Tuesday next, at two o'clock and thirty minutes P. M.

Senate Bill No. 227—An Act entitled "An Act to add another section to the Code of Civil Procedure of the State of California," relating to incompetent persons.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, McComas, McGowan, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—29.

NOES—None.

Title read and approved.

RECESS.

At twelve o'clock M. the Senate took a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

LEAVE OF ABSENCE.

Senator Bailey was granted leave of absence until Monday.

THIRD READING OF BILLS.

Senator Dray moved that Senate Bill No. 214 be now taken up.

So ordered.

Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish and game.

Senator Dray moved that Senator Banks be appointed a special committee of one to make the following amendment:

Amend by striking out of section one, line three, the word "thirty-first," and insert in its stead the word "fifteenth;" also, in same line, strike out the word "first" and insert the word "fifteenth;" also, in same line, strike out the word "April;" also, in line four, same section, strike out the word "October" and insert the word "September."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 6, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 214, with instructions to amend, have had the same under consideration, and respectfully report the same back, amended as per your instructions.

BANKS, Committee.

On motion of Senator Dray, the report and amendment were adopted.

Senator Dray moved that the bill, as amended, be printed.

So ordered.

Senate Bill No. 241—An Act to appropriate money for the erection of a State Hospital for Lepers.

Senator Heacock moved that a special committee of one be appointed to amend Senate Bill No. 241, as follows:

Amend by striking out of section one, line two, the words "of the State of California," and insert in lieu thereof the words "in the State Treasury."

So ordered.

Senator Heacock was appointed as such committee.

REPORT OF COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 6, 1891.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 241—To amend by striking out of section one, line two, the words "of the State of California," and insert the following: "in the State Treasury," in lieu thereof—has had the same under consideration, and respectfully report the same back amended as per your instructions.

HEACOCK, Committee.

Senator Heacock moved that the bill be printed as amended.

So ordered.

Senator Dray requested that Assembly Bill No. 211 be now taken up.

So ordered.

Assembly Bill No. 211—An Act to increase the police force of the various cities, and cities and counties, of the State, and to provide for the appointment of such extra police officers, and for the payment of their salaries.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Langford, Maher, Mahoney, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—26.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 6, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 51—An Act to amend an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, and to authorize the owners of lots in such cemeteries to transfer them by deed.

Also: Senate Bill No. 71—An Act prescribing the competency and for the protection of

witnesses testifying as to crimes against the elective franchise, to be added as a new section under title four of the Penal Code of the State of California, and to constitute section sixty-four of said Penal Code.

Also: Senate Bill No. 87—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to chapter eight, title thirteen, part one, one section, numbered five hundred and thirty-eight, relating to the punishment of fortune telling.

Also: Senate Bill No. 119—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Also: Senate Bill No. 120—An Act to amend section one hundred and seventy-two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the husband's control and disposition of the community property.

RAGSDALE, Chairman.

THIRD READING OF BILLS—(RESUMED).

President pro tem. Fraser in the chair.

Senate Bill No. 264—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section one thousand eight hundred and sixty-four and one half, to give a lien to the breeders of thoroughbred cattle, horses, and other domestic animals.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Broderick, Campbell of Siskiyou, Carpenter, Denison, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, Ostrom, Shippee, Sprague, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—21.
NOES—Messrs. Bailey and Langford—2.

Title read and approved.

Senator McGowan moved that Senate Bill No. 121 be made a special order for next Tuesday, at three o'clock P. M.

So ordered.

Senate Bill No. 54—An Act to appropriate money to pay the claim of George J. Mothersole, for labor performed and expenses incurred in roofing the Napa State Asylum for the Insane, under a written contract.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Shippee, Simpson, Williams (Geo. H.), and Wilson—26.
NOES—None.

Title read and approved.

Senate Bill No. 88—An Act to pay the claim of James W. Rankin, for services in the office of the State Treasurer of California, and appropriate money therefor.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Langford, Maher, McComas, McGowan, Mead, Ragsdale, Shippee, Simpson, Williams (Geo. H.), and Wilson—25.
NOES—Mr. Goucher—1.

Title read and approved.

Senate Bill No. 172—An Act to appropriate the sum of four hundred and fifty-eight dollars and sixty-five cents to pay the claim of William H. Murphy, for money illegally paid the State of California.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Denison, Everett, Fraser, Goucher, Hamill, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Shippee, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.
NOES—None.

Title read and approved.

Senate Bill No. 209—An Act entitled "An Act to appropriate moneys to pay the claim of George Fetherstone, for services rendered in the office of Treasurer of State.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Langford, Maher, McComas, Ragsdale, Shippee, Simpson, Sprague, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—26.
NOES—Messrs. Goucher and Ostrom—2.

Title read and approved.

Senator Carpenter requested that Senate Bills Nos. 16, 2, and 47 be made a special order for next Wednesday, at three o'clock P. M.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 6, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 485—An Act to amend paragraph twenty-seven (27) of section twenty-five (25) of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883—respectfully report back a substitute without recommendation.

SPRAGUE, Chairman.

Senator Sprague moved that the committee substitute for Senate Bill No. 485 be printed.

So ordered.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 6, 1891.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 472—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 21—have had the same under consideration, and respectfully report the same back; and recommend its indefinite postponement.

Also: Senate Bill No. 419—have had the same under consideration, and respectfully report the same back with amendments, and recommend that said bill as amended do pass.

CARPENTER, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 5, 1891.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 499—have had the same under consideration, and respectfully report the same back, and recommend a substitute for Senate Bill No. 499, and Senate Bill No. 352, reported back to your body January thirty-first, with the request that the substitute take the place on the file now held by Senate Bill No. 352.

DENISON, Chairman.

There being no objection, the request of the committee was granted, and the substitution ordered.

LEAVE OF ABSENCE.

Senator Heacock asked leave of absence for Senator Voorhies for to-day and to-morrow.

Granted.

Senator Campbell of Solano was granted leave of absence until Monday.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 75—An Act to add a new section to the Political Code, to be known and designated as section four thousand three hundred and thirty-four, relating to the duties of officers.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Denison, Dray, Everett, Flint, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Shippee, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—23.

NOES—None.

Title read and approved.

Senate Bill No. 108—An Act to amend the Penal Code of California by adding a new section thereto, to be known as section three hundred and eight, relative to the sale or furnishing of tobacco, or preparations thereof, to persons under sixteen years of age.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Britt, Broderick, Carpenter, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—25.

NOES—None.

Title read and approved.

Senate Bill No. 130—An Act to authorize and direct the sale of the site and buildings of the California Home for the Care and Training of Feeble-Minded Children, in Santa Clara County.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Mahoney, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—26.

NOES—None.

Title read and approved.

Senate Bill No. 136—An Act to amend section seven hundred and ninety-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Senator Simpson moved that the bill be referred to the Committee on Engrossed and Enrolled Bills for correction.

So ordered.

Senate Bill No. 149—An Act to amend section seven hundred and ninety-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Maher, McComas, Mead, Preston, Ragsdale, Shippee, Simpson, Sprague, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—25.

NOES—None.

Title read and approved.

Senate Bill No. 238—An Act to amend sections seven hundred and ninety-nine and eight hundred of the Penal Code, relating to the time within which prosecution for murder, the embezzlement of public moneys, and the falsification of public records must be commenced.

Senator Berry moved that the bill be passed on file, and retain its place.

So ordered.

Senate Bill No. 81—An Act to provide for a State Board of Arbitration, for the settlement of differences between employers and employés.

MOTION.

Senator Maher moved a call of the Senate, and the motion was carried.

LEAVE OF ABSENCE.

Senator Mead asked leave of absence for Senator Langford.

Granted.

CALL OF THE SENATE.

The roll was called, and the following Senators answered to their names:

Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

All Senators absent had previously been granted a leave of absence.

Senator Broderick moved that further proceedings under the call of the Senate be dispensed with.

Motion lost.

Senator Maher moved that further proceedings under the call of the Senate be dispensed with, and that Senate Bill No. 81 be passed and retain its place on file.

So ordered.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 274—An Act to provide for the assessment of property, and to provide a penalty for the failure or neglect of Assessors to perform their duty in making assessments.

Senator Hamill moved that the bill be passed, and retain its place on file.

So ordered.

Senator Simpson moved that Committee on Engrossed and Enrolled Bills be instructed to strike out the repetition in Senate Bill No. 136.

So ordered.

Senate Bill No. 287—An Act to amend section ninety-two of the Civil Code of the State of California, and to add a new section to the Civil Code, to be designated as section one hundred and eight, concerning divorces.

Senator Sprague moved that the bill be passed, and retain its place on file.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 6, 1891.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Assembly Bill No. 102—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 50—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 178—have had the same under consideration, and respectfully report the same back with amendments, and recommend that said bill, as amended, do pass.

CARPENTER, Chairman.

JOINT RESOLUTION—(OUT OF ORDER).

By Senator Mahoney: Senate Joint Resolution No. 16—Requesting the Congress of the United States to pass the bill to promote the shipping interests.

Referred to Committee on Federal Relations and Immigration.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FORESTRY, YOSEMITE VALLEY, MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, February 6, 1891.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Bill No. 489—recommend that it do pass.

Also: Senate Bill No. 490—recommend that it do pass as amended.

Also: Senate Bill No. 491—recommend that it do pass as amended.

Also: Senate Bill No. 503—recommend that it do pass as amended, with the further recommendation that it be referred to Senate Committee on Finance.

FLINT, Chairman.

There being no objection, Senate Bill No. 503 was referred to Committee on Finance.

MOTION.

Senator Sprague moved to suspend the rules, and proceed to the second reading of bills.

Motion lost by the following vote:

AYES—Messrs. Banks, Broderick, Byrnes, Carpenter, Dargie, Everett, Flint, Hamill, Maher, Mahoney, Ragsdale, Shippee, Simpson, Sprague, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—18.

NOES—Messrs. Berry, Britt, Denison, Dray, Fraser, Goucher, Heacock, McComas, McGowan, and Mead—10.

RESOLUTIONS—(OUT OF ORDER).

By Senator McGowan:

Resolved, That the sum of five thousand five hundred and twenty-four dollars and forty cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Senate to J. H. Mahoney, for expenses incurred by him in the contested election case of Murphy vs. Mahoney, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of J. H. Mahoney for said sum.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Also:

Resolved, That the sum of three thousand three hundred and thirty-three dollars and ninety cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Senate, to P. J. Murphy for expenses incurred by him in the contested election case of Murphy vs. Mahoney, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of said P. J. Murphy for the said sum.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

CALL OF THE SENATE.

Senator Sprague moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ragsdale, Shippee, Simpson, Sprague, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Senator Hamill moved that further proceedings under call of the Senate be dispensed with.

So ordered.

MOTIONS.

Senator Sprague moved that the rules be suspended, and the Senate proceed to the consideration of Senate Bill No. 165, appearing first on second reading file.

The ayes and noes were demanded by Senators Heacock, Berry, and Campbell of Siskiyou.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Banks, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, Everett, Flint, Fraser, Goucher, Hamill, Mahoney, Ragsdale, Shippee, Simpson, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—19.

NOES—Messrs. Berry, Brit, Denison, Dray, Heacock, McComas, McGowan, Mead, Ostrom, and Wilson—10.

THIRD READING OF BILLS—(RESUMED).

Senator Heacock moved that Senate Bill No. 74 be passed, and retain its place on file until returned correctly engrossed.

So ordered.

Senator Broderick moved that Senate Bill No. 134 be passed, and retain its place on file.

So ordered.

Senate Bill No. 281—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations.

Senator Britt moved that Senator McGowan be appointed a special committee of one to make the following amendment:

Amend by inserting after the word "liens," on line three, the words "except duly recorded mortgages or deeds of trust;" also, by striking out section three.

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 6, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 281 to amend, have had the same under consideration, and respectfully report the same back amended as per your instructions.

McGOWAN, Committee.

Report of committee and amendment adopted.

LEAVE OF ABSENCE.

Senator Everett asked leave of absence for to-morrow.

Granted.

THIRD READING OF BILLS—(RESUMED).

Senator Simpson moved that Senate Bill No. 240 be passed, and retain its place on file.

So ordered.

Senate Bill No. 143—An Act authorizing and requiring Boards or Commissions having the management and control of paid police forces to grant the members thereof yearly vacations.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—30.

NOES—None.

Title read and approved.

Senator Goucher moved that Senate Bill No. 176 be passed, and retain its place on file until correctly engrossed.

So ordered.

Senate Bill No. 4—An Act to amend section two thousand six hundred and eighty-two of the political Code of the State of California, in relation to the character of petitions to be presented for the purpose of altering, laying out, or constructing, or discontinuing, or abandoning of any public highway.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Denison, Dray, Fraser, Goucher, Hamill, Heacock, Maher, McComas, Mead, Ostrom, Ragsdale, Shippee, Williams (Wm. H.), Williams (Geo. H.), and Wilson—21.

NOES—None.

Title read and approved.

Senate Bill No. 176—An Act to ascertain and express the will of the people of the State of California upon the subject of the election of United States Senators.

Senator Goucher moved that Senator Heacock be appointed a special committee of one to make the following amendment:

Amend by inserting in line two, of section three, after the word "great," the words "seal of State."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 6, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 176, have had the same under consideration, and respectfully report the same back amended as per your instructions.

HEACOCK, Committee.

On motion of Senator Goucher, the report was adopted, and bill ordered printed.

LEAVE OF ABSENCE.

Senator Carpenter asked leave of absence for the balance of to-day and to-morrow.

Granted.

MOTION.

Senator Broderick moved to adjourn.

Motion lost.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 66—An Act to regulate the sale of olive oil.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Everett, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Williams (Wm. H.), and Wilson—25.

NOES—None.

Title read and approved.

Senate Bill No. 69—An Act to amend section one thousand three hundred and twenty-nine of the Penal Code of the State of California, relative to the payment of the necessary expenses of witnesses in criminal cases.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Broderick, Byrnes, Campbell of Siskiyou, Dargie, Denison, Dray, Everett, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Williams (Wm. H.), Williams (Geo. H.), and Wilson—24.

NOES—None.

Title read and approved.

ADJOURNMENT.

On motion of Senator Maher, the Senate adjourned at four o'clock and forty minutes P. M.

IN SENATE.

SENATE CHAMBER,
Saturday, February 7, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

LEAVE OF ABSENCE.

Senator Sprague asked leave of absence for Senator Flint for to-day. Granted.

PRAYER.

Prayer by Rev. A. T. Needham.

RESOLUTION.

By Senator Sprague:

Resolved, That after the reading of the minutes the Senate proceed with the first reading file, and that no other business be transacted until after the noon recess.

Senator Heacock moved to amend by adding that no business be transacted except the reading and approval of the Journal, introduction of bills, receiving reports of committees, and first reading file.

Senator Sprague accepted the amendment, and the motion as amended carried.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Heacock moved that further reading of the Journal be dispensed with.

So ordered.

On motion of Senator Heacock, the Journal of February 5, 1891, was approved.

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 7, 1891.

MR. PRESIDENT: Your Committee on Claims beg leave to make the following report: They have considered Senate Bill No. 474, and report the same back with amendments, and recommend that the same do pass as amended.

HEACOCK, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 7, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 177—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand inhabitants and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885, in relation to the duties and salary of Clerks of said Police Courts—respectfully report the same back, and recommend that the substitute herewith returned do pass.

Also: Senate Bill No. 464—An Act to amend sections nine hundred and thirty-six and nine hundred and thirty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872 –have had the same under consideration, and respectfully report the same back without recommendation.

SPRAGUE, Chairman.

ON PUBLIC PRINTING.

SENATE CHAMBER, SACRAMENTO, February 7, 1891.

MR. PRESIDENT: Your Committee on Public Printing, to whom was referred Senate Bills Nos. 547 and 548—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STREETER, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Goucher: Senate Bill No. 582—An Act to amend section one hundred and ninety-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the salary of the county officers in the counties of the thirty-fifth class.

Referred to Committee on Counties, County Governments, and Township Organization.

By Senator McGowan: Senate Bill No. 583—An Act to amend section two of an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885, amended so as to read as follows.

Referred to Committee on Judiciary.

FIRST READING OF BILLS.

The following bills were read first time, and ordered on file for second reading.

Senate Bill No. 480—An Act to amend section one thousand three hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a married woman as administratrix of an estate of a deceased person.

Senate Bill No. 200—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuation of administration upon the estates of deceased persons.

Senate Bill No. 141—An Act to amend sections two thousand four hundred and fifty-seven, two thousand four hundred and sixty-four, two thousand four hundred and sixty-five, and two thousand four hundred and sixty-six of the Political Code, relating to pilots and pilot regulations.

Senate Bill No. 260—An Act to amend section two thousand four hundred and sixty-seven of the Political Code, relating to the charges for towing.

Senate Bill No. 478—An Act making an appropriation to pay the Assistant Journal Clerks of the Senate (twenty-sixth session of the Legislature) for completing the Journal of the Senate.

Senate Bill No. 203—An Act making an appropriation to pay the necessary expenses of the Commissioners appointed by the State of California to the World's Fair at Paris in 1890.

Senate Bill No. 291—An Act for the relief of Benicia F. Vallejo, the widow of the late General Mariano G. Vallejo.

Senate Bill No. 483—An Act to appropriate money to pay the claim of Bartolo Sepulveda, his executors, administrators, or assigns, for unlawful imprisonment.

Senate Bill No. 465—An Act to appropriate money for the payment of the unpaid salary of the Deputy Reporter of the Decisions of the Supreme Court, for three months of the fortieth fiscal year.

Senate Bill No. 364—An Act making an appropriation to pay the claim of "The California Spirit of the Times," for advertising the election proclamation.

Senate Bill No. 359—An Act to equalize the compensation of the attorneys who were employed by the State of California in a United States case involving the Chinese Exclusion Act passed by Congress, to wit: the case of Chae Chan Ping vs. The United States, and making an appropriation therefor.

Senate Bill No. 366—An Act making an appropriation to pay the claim of James A. Kearney, ex-Sheriff of San Benito County, for expenses incurred in conveying prisoner.

Senate Bill No. 360—An Act making an appropriation to pay the claim of Henry Hogan.

Senate Bill No. 221—An Act to appropriate money to pay the claim of Max Gumpel, for services rendered to the State as an expert during the trial of John S. Gray.

Senate Bill No. 365—An Act making an appropriation to pay the claim of Henry Mahler, for services superintending the improvement of the grounds around the Marshall monument.

Senate Bill No. 164—An Act to authorize the Board of State Harbor Commissioners to pay the claim of Michael Creed.

Senate Bill No. 334—An Act to establish a State Board of Ramie Culture, and to provide for the expenses thereof, and to encourage the culture of the ramie plant.

Senate Bill No. 219—An Act to amend section six hundred and eighty-nine of the Penal Code, relating to the right of a trial by jury.

Senate Bill No. 386—An Act to authorize the Trustees of municipal corporations having a voting population of less than two hundred legal voters, to wind up the affairs of said corporation, by paying off its indebtedness, disposing of its property, if it has any, to the county for its own local improvement, etc., and to declare said corporation no longer in force.

Senate Bill No. 394—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by repealing section six hundred and thirty-two, relating to decisions of Court on questions of fact.

Senate Bill No. 496—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure of the State of California, in relation to judgments and orders in cases of contempt, and providing for appeals therefrom.

Senate Bill No. 500—An Act to add an additional section to the Political Code, to be numbered section four thousand two hundred and fifty-nine, relating to the qualifications of District Attorney.

Senate Bill No. 501—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

Senate Bill No. 511—An Act to amend sections two hundred and seventy-six and two hundred and seventy-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to the admission of attorneys and counselors at law.

Senate Bill No. 50—An Act to amend sections one thousand nine hundred and eighteen, one thousand nine hundred and fifty-five, one thousand nine hundred and fifty-seven, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy, one thousand nine hundred and eighty, one thousand nine hundred and ninety, two thousand and twenty-two, two thousand and sixty-five, two thousand and ninety-four, two thousand and ninety-five, and two thousand and ninety-nine, and to add a new section, to be known as section two thousand and eight, to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the National Guard of California.

Senate Bill No. 64—An Act making an appropriation to pay the claim of D. Jordan.

Senate Bill No. 89—An Act entitled an Act to provide for the payment of services rendered the State of California by William H. Thornley, as State Commissioner of Immigration, and making necessary appropriation therefor.

Senate Bill No 493—An Act making an appropriation to pay the claim of Isidor Alexander.

Senate Bill No. 362—An Act making an appropriation for reimbursing the Japanese Government for moneys expended in the extradition of Calvin Pratt, a fugitive from the justice of this State, and to provide for transmitting the same to Japan.

Senate Bill No. 452—An Act for the relief of the Oregon Improvement Company (a corporation) for the loss of a horse because of the carelessness of State officials.

Senate Bill No. 506—An Act to authorize the Board of State Harbor Commissioners to adjust and pay the claim of Daniel J. Logan.

Senate Bill No. 361—An Act making an appropriation to pay the claim of C. C. Rochford, ex-Sheriff of Modoc County, for expenses incurred in the capture and arrest of J. R. Franklin, a murderer.

Senate Bill No. 286—An Act authorizing the governing bodies of cities, or cities and counties, to fix the rates to be charged for gas and electricity for lighting.

Senate Bill No. 166—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code of the State of California.

Senate Bill No. 43—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers.

Senate Bill No. 100—An Act to amend section five hundred and forty-one of the Civil Code, relating to telegraph corporations.

Senate Bill No. 255—An Act to amend section five hundred and ninety-eight of the Civil Code of the State of California, relating to benevolent and religious corporations.

Senate Bill No. 93—An Act to amend sections six hundred and twenty-eight and six hundred and thirty of the Civil Code, relating to gas corporations.

Senate Bill No. 180—An Act relating to telegraph, telephone, electric light, and other wires, poles, and cables.

Senate Bill No. 285—An Act providing for the sale of railroads and other franchises in municipalities, and fixing the time when certain acts of the governing bodies thereof shall take effect.

Senate Bill No. 95—An Act to add a new section to the Civil Code, to be known and designated as section five hundred and twelve, relating to street railroads.

Senate Bill No. 162—An Act to determine that lands of this State are swamp and overflowed when returned as such by the United States Surveyor-General.

Senate Bill No. 403—An Act to amend sections three thousand four hundred and fifty-four and three thousand four hundred and fifty-five of the Political Code of this State, relating to the powers and duties of Boards of Trustees of reclamation districts formed for the reclamation of swamp and overflowed lands.

Senate Bill No. 402—An Act to amend section three thousand four hundred and sixty-six of the Political Code, relating to the collection of assessments made by Commissioners of Assessment in reclamation districts of this State.

Senate Bill No. 401—An Act to amend sections three thousand four hundred and sixty-two and three thousand four hundred and sixty-three of the Political Code of this State, relating to the filing with County Treasurers and County Recorders of list of charges assessed by Commissioners of Assessment in reclamation districts, and making said charges a lien upon the lands assessed.

Senate Bill No. 210—An Act to create the county of Glenn, to establish the boundaries thereof, and to provide for its organization.

Senate Bill No. 413—An Act to create the county of San Jacinto, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization and election of officers, and to classify said county.

Senate Bill No. 482—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Senate Bill No. 103—An Act to form Pomona County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Senate Bill No. 247—An Act for the relief of G. Raisch.

Senate Bill No. 481—An Act for the relief of George Dougherty.

Senate Bill No. 293—An Act for the relief of John J. Conlin.

Substitute for Senate Bills Nos. 8, 57, 123, and 369—An Act to amend the Political Code, and to add four new sections thereto, relative to the conduct of elections in this State.

Senate Bill No. 517—An Act relating to the roofing of public buildings in the State of California.

Senate Bill No. 330—An Act to amend sections one, nine, and seventeen of "An Act to provide for the erection and management of a State Hospital for the Insane, to be located in Southern California," approved March 11, 1889.

Senate Bill No. 245—An Act to establish a State Normal School in the City and County of San Francisco.

Senate Bill No. 278—An Act to prohibit the sale of intoxicating liquors within one mile of any reform school where juveniles are confined or kept.

Senate Bill No. 479—An Act to provide for the establishment of High Schools in the State of California.

Senate Bill No. 536—An Act to encourage coöperation, and to provide for the formation of associations for the purpose of conducting any lawful business and dividing the profits among the members thereof.

Senate Bill No. 385—An Act to authorize the State Board of Prison Directors to pay for certain skilled labor used in the construction of the dam and canal at the Folsom Prison, and making an appropriation therefor.

Senate Bill No. 528—An Act to pay the claim of John Mullan for services rendered in collecting from the United States money due the State of California, on account of Indian war claims.

Senate Bill No. 529—An Act to amend section three thousand five hundred and fifty-five of the Political Code.

Senate Bill No. 530—An Act to provide for payment for private property heretofore taken for public use.

Senate Bill No. 20—An Act to amend section eight hundred and sixty-two of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Senate Bill No. 427—An Act to authorize the Trustees of municipal corporations having a voting population of less than two hundred voters, to wind up the affairs of said corporation by paying off its indebtedness, disposing of its property, and turning over the proceeds to the County Supervisors for its own local improvements, etc., and to declare said corporation no longer in force.

Senate Bill No. 194—An Act to provide for organizing, establishing, and maintaining a paid fire department within municipalities in the State of California, to be under the supervision and control of a Board of Fire Commissioners.

Senate Bill No. 140—An Act to regulate the use of meters used in the sale, rental, or distribution of water supplied to cities and counties, cities or towns, and to the inhabitants thereof.

Senate Bill No. 392—An Act to amend an Act entitled "An Act to furnish arms for the use of military academies in the State," approved February 20, 1872.

Senate Bill No. 387—An Act to add to part two, division two, of the Civil Code, a new title, to be known as title five, containing eighteen sections, to be numbered eight hundred and seventy-eight, eight hundred and seventy-nine, eight hundred and eighty, eight hundred and eighty-one, eight hundred and eighty-two, eight hundred and eighty-three, eight hundred and eighty-four, eight hundred and eighty-five, eight hundred and eighty-six, eight hundred and eighty-seven, eight hundred and eighty-eight, eight hundred and eighty-nine, eight hundred and ninety, eight hundred and ninety-one, eight hundred and ninety-two, eight hundred and ninety-three, eight hundred and ninety-four,

and eight hundred and ninety-five, relating to mining laws, and forming mining districts.

Senate Bill No. 451—An Act creating a lien for the furnishing and construction of monuments, tombstones, and other work in cemeteries, when the same exceeds twenty-five dollars.

Senate Bill No. 251—An Act to repeal an Act entitled "An Act making appropriations for the purchase of additional jute machinery and the erection of additional buildings for the manufacture of jute goods for the State Prison at San Quentin, and other expenses incidental and relating thereto," approved March 24, 1887.

Senate Bill No. 495—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

Senate Bill No. 476—An Act to amend section four thousand one hundred and two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the age, citizenship, and residence of district and township officers and their deputies.

Senate Bill No. 531—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Senate Bill No. 537—An Act to amend section fifty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to the appellate jurisdiction of the Supreme Court.

Senate Bill No. 538—An Act to amend section one thousand two hundred and forty-three of an Act entitled "An Act to establish a Penal Code," approved April 14, A. D. 1872, relating to appeals.

Senate Bill No. 472—An Act for the protection of policy holders in fire insurance companies.

Senate Bill No. 475—An Act to add a new section to the Penal Code, to be known and numbered section six hundred and fifty-five, relating to dealing in options.

Senate Bill No. 485—An Act to amend paragraph twenty-seven of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 13, 1883.

Senate Bill No. 419—An Act to amend sections four hundred and ninety-eight and five hundred and two of the Civil Code, relating to street railroad corporations.

Senate Bill No. 21—An Act relating to life and casualty and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Assembly Bill No. 102—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendment thereto, approved March 19, 1889.

Substitute for Assembly Bill No. 50—An Act to amend an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain

waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

Senate Bill No. 178—An Act to provide for the removal of electrical conductors from the surface of streets, avenues, and other highways of towns, cities, counties, and cities and counties of this State, and providing for placing the same underground.

Senate Bill No. 489—An Act to amend an Act entitled "An Act to provide for the construction, maintenance, and regulation of fishways in streams naturally frequented by salmon, shad, and other migratory fish," approved April 16, 1880.

Senate Bill No. 490—An Act to amend sections six hundred and twenty-six, six hundred and thirty-three, six hundred and thirty-six, and six hundred and thirty-seven of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game.

Senate Bill No. 491—An Act to amend an Act approved March 8, A. D. 1872, entitled "An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds, in certain counties of this State."

Senate Bill No. 414—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for clerks and a phonographic reporter in the office of the Attorney-General, and fixing their salaries.

Senate Bill No. 415—An Act entitled an Act to amend section four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries.

Senate Bill No. 439—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a section thereto, to be known as section two thousand and eighty, and providing for the manner of proving the formation of corporations.

Assembly Bill No. 197—An Act to amend section two thousand six hundred and eighty-four of the Political Code of the State of California.

Assembly Bill No. 375—An Act to amend section two thousand nine hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the preservation of the public health.

Assembly Bill No. 52—An Act to amend sections fifty-eight and seven hundred and ninety-two of the Political Code, so as to authorize the appointment of women as Notaries Public.

ADJOURNMENT.

At twelve o'clock M. the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, February 9, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by the Rev. A. T. Needham.

LEAVE OF ABSENCE.

Senator McGowan asked leave of absence for Senator De Long until three o'clock P. M.

Granted.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Ragsdale moved that further reading of the Journal be dispensed with.

So ordered.

COMMUNICATION.

The following communication was presented by the Hon. J. B. Reddick:

SAN DIEGO, CAL., February 2, 1891.

To the President and Members of Board of Delegates:

GENTLEMEN: Your committee, to whom was referred the joint resolution offered by Delegate Heath, and protesting against certain changes in the law governing the powers of the Harbor Commissioners of the Bay of San Diego, do hereby recommend the adoption of said resolution, and we further recommend that your honorable body do adopt the following and additional resolution in relation thereto, to wit: Joint Resolution No. 42.

Resolved, That it is the further sense of this Council that there should be added to section two thousand six hundred and five, proposed by section three of Senate Bill No. 332 to be amended, the following words, to wit: "subject first, however, to the ratification and confirmation thereof by ordinance of the Common Council of the city of San Diego;" and be it further

Resolved, That our Senator and Assemblyman are respectfully and urgently requested to secure the adoption of this amendment to the proposed amendment.

This resolution was passed by unanimous vote of the Board of Aldermen of the city of San Diego, February 3, 1891.

H. T. CHRISTIAN, President.

Passed, approved, and adopted by the Board of Delegates, February 2, 1891.

D. H. HEWITT,
President of the Board of Delegates.

Attest: J. F. PATTON, City Clerk.

JOINT RESOLUTION NO. 41, OFFERED BY DELEGATE HEATH, JANUARY 31, 1891.

WHEREAS, The Legislature of the State passed an Act entitled "An Act establishing a Board of Harbor Commissioners for the Bay of San Diego," approved March 18, 1889, providing, among other things, to wit: Under section two thousand six hundred and

six of said Act, that no special privilege or franchise granted within the city of San Diego by the Commissioners to any person or corporation to use any of the land of the State or the extended streets provided for by section two thousand five hundred and eighty, shall be valid until the same shall be ratified and confirmed by ordinance of the Common Council of the city of San Diego; and whereas, on the twenty-first day of January, eighteen hundred and ninety-one, there was introduced into the State Senate a certain bill known as Senate Bill No. 332, being entitled "An Act to amend an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, by amending sections two thousand five hundred and eighty-nine, two thousand five hundred and ninety-five, two thousand six hundred and five, two thousand six hundred and six, and two thousand six hundred and seven of said Code, relating to the establishing of a Board of State Harbor Commissioners for the bay of San Diego," in which said bill it is provided among other things, to wit: By section four of said bill, that section two thousand six hundred and six be amended to read as follows:

"Section 2606. The said Board may grant authority, to any person or corporation, to construct a wharf, chute, or pier in the bay of San Diego for a term not exceeding ten years, upon such terms and conditions as said Board may determine." Therefore, be it

Resolved, That it is the sense of this Council that the adoption of the said amendment to section two thousand six hundred and six is both dangerous and inimical to the public interests of this city, and subversive of the inherent powers and prerogatives legally and properly belonging to the people of this city; that the delegation of those powers and prerogatives to a Board of Commissioners is both injudicious and unsafe, because susceptible of unjust and unlimited action, both in extent and the manner in which they may be exercised in the creation of monopolies and injurious discriminations, alike destructive to the marine and general commercial interests of this city; and be it further

Resolved, That as the legal representatives of the people of this city, we do solemnly protest against the passage of said amendment, and that our representatives in the Senate and Assembly, respectively, are respectfully and urgently requested to use their best endeavors to prevent the passage and adoption of said amendment; and be it further

Resolved, That copies of these resolutions, properly authenticated by the President of each Board and the Clerk of the Council, be immediately forwarded to the Governor, the presiding officers of the State Senate and Assembly, respectively, to our State Senator and Assemblyman, and to others, as members of the State Legislature.

H. T. CHRISTIAN,
President of the Board of Aldermen.
D. H. HEWITT,
President of the Board of Delegates.

Attest: J. F. PATTON, City Clerk.

On motion of Senator Heacock, the Journal of the sixth instant was approved.

So ordered.

PETITIONS.

By Senator Ostrom:

LODI, CAL., January 26, 1891.

Lodi Grange No. 92, P. of H. of California, have considered the resolutions of Watsonville Grange in reference to dealing in futures, etc., at a regular meeting of this Grange, and unanimously voted to approve the same, and directed the Secretary to certify to such approval and join in the request that such bill be passed.

J. A. ANDERSON, W. M.
MISS FLORENCE HUFFMAN, Secretary.

(Seal): LODI LODGE No. 92, Lodi, Cal.

Also: A petition from citizens of Lodi, relative to mutual fire insurance.

MOTION.

Senator Ostrom moved that all bills reported from committees be read by the Secretary by title, as well as by number.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, February 9, 1891.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 332, introduced by Senator Streeter—have had the same under consider-

ation, and respectfully report the same back, and recommend that Senator Streeter have permission to withdraw the same.

MAHONEY, Chairman.

Senator Streeter asked permission to withdraw Senate Bill No. 332. Granted.

MOTIONS.

Senator Denison moved that Rule 35 be temporarily suspended for the purpose of amending Senate Bill No. 478, as recommended by the Committee on Claims.

So ordered.

Senator Campbell of Siskiyou moved that the special order set for consideration at two o'clock and thirty minutes P. M. to-day be postponed temporarily, until the matter under consideration be dispensed with.

So ordered.

Senate Bill No. 478 was then taken up.

Senate Bill No. 478—An Act making an appropriation to pay the Assistant Journal Clerks of the Senate (twenty-sixth session of the Legislature) for completing the Journal of the Senate.

The following committee amendments were submitted:

Amend by striking out of section one, lines one and two, the words "four hundred and twenty-six," and inserting in lieu thereof the words "three hundred."

Adopted.

Amend section one, line nine, by striking out the word "two," and insert in lieu thereof the word "one."

Adopted.

Also: Amend by striking out the word "thirteen," in section one, line ten, and insert in lieu thereof the word "fifty."

Adopted.

Also: Amend by striking out of section one, line ten, the word "two," and insert in lieu thereof the word "one."

Adopted.

Also: Amend by striking out of section one, line eleven, the word "thirteen," and insert in lieu thereof the word "fifty."

Adopted.

Bill read second time as amended, ordered engrossed and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 9, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article seven thereof, relative to the pardoning power.

Also: Senate Bill No. 136—An Act to amend section seven hundred and ninety-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Amended Substitute for Senate Bill No. 169—An Act to create a Board of State Harbor Commissioners for Humboldt Bay, to provide for the appointment of such Commissioners, and to define their duties.

Also: Substitute for Senate Bill No. 278—An Act to prohibit the sale of intoxicating liquors within one mile of any reform school where juveniles are confined or kept.

Also: Senate Bill No. 167—An Act to make train wrecking a capital offense.
Also: Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish and game.
Also: Senate Bill No. 241—An Act to appropriate money for the erection of a State Hospital for lepers.

RAGSDALE, Chairman.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, February 7, 1891.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 549—respectfully report the same back with an amendment, and recommend the passage of the same as amended.

FRASER, Chairman.

On motion of Senator Wilson, Senate Bill No. 267 was made a special order for to-morrow, at eleven o'clock and thirty minutes A. M.

SPECIAL ORDER.

The time having arrived for the consideration of the special order set for this hour, Senator Campbell of Siskiyou asked that Assembly Bill No. 121 be now taken up.

Senator McGowan moved that the consideration of Assembly Bill No. 121 be made a special order for Wednesday, at two o'clock and thirty minutes P. M.

Senator Campbell of Siskiyou moved to amend by making it a special order for to-morrow, immediately after the reading of the Journal.

Senator Mead moved an amendment to the amendment to make it a special order for Wednesday, at two o'clock P. M.

Senator McGowan accepted the amendment offered by Senator Mead.

Senator Campbell's motion was then voted on and lost.

The motion as amended by Senator Mead, making the bill a special order for Wednesday, at two o'clock P. M., was then adopted.

MESSAGES FROM THE ASSEMBLY.

The following Assembly messages were then read:

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixth day of February, respectfully refused to concur in the Senate amendments to Assembly Bill No. 211—An Act to increase the police force of the various cities, and cities and counties, and towns, of the State, and to provide for the appointment of such extra police officers, and for the payment of their salaries.

H. A. MASON, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on February fifth, adopted Assembly Joint Resolution No. 2—Relative to Sacramento River and adjoining lands.

H. A. MASON, Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Senator Dray moved to recede from Senate concurrent amendment to Assembly Bill No. 211.

The roll was called, and the motion to recede was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett,

Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—36.

Noes—None.

Senator Dray moved that Senator Maher be appointed a special committee of one to make the following amendments:

Amend Assembly Bill No. 211 as follows: After the word "county," in section one, line seven, insert the following words: "*provided further*, that in cities of the third class the police force shall not exceed in the aggregate at any time one member for every one thousand inhabitants of said cities."

So ordered.

REPORT OF SPECIAL COMMITTEE.

Senate Chamber, Sacramento, February 9, 1891.

Mr. President: Your Special Committee of one, to whom was referred Assembly Bill No. 211, has had the same under consideration, and respectfully report the same back amended as per your instructions.

MAHER, Committee.

The special committee report was then adopted.

Senator Dray moved that as soon as printed, the bill take its place at the head of the third reading file.

So ordered.

MESSAGE FROM THE GOVERNOR.

Executive Department, State of California,
Sacramento, February 7, 1891.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Constitutional Amendment No. 10.

H. H. MARKHAM, Governor.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Heacock: Senate Bill No. 584—An Act to amend section one thousand two hundred and forty-three of the Penal Code of the State of California, relative to the stay of the execution of the judgment in criminal cases, pending an appeal to the Supreme Court.

Referred to Committee on Judiciary.

Also: Senate Bill No. 585—An Act to amend section two thousand six hundred and seven of an Act entitled "An Act to add thirty-four sections to 'An Act of the Legislature of the State of California to establish a Political Code,' approved March 12, 1872, said sections to be numbered and designated as sections two thousand five hundred and seventy-five, two thousand five hundred and seventy-six, two thousand five hundred and seventy-seven, two thousand five hundred and seventy-eight, two thousand five hundred and seventy-nine, two thousand five hundred and eighty, two thousand five hundred and eighty-one, two thousand five hundred and eighty-two, two thousand five hundred and eighty-three, two thousand five hundred and eighty-four, two thousand five hundred and eighty-five, two thousand five hundred and eighty-six, two thousand five hundred and eighty-seven, two thousand five hundred and eighty-eight, two thousand five hundred and eighty-nine, two thousand five hundred and ninety, two thousand five hundred and ninety-one, two thousand five hundred and ninety-two, two thousand

five hundred and ninety-three, two thousand five hundred and ninety-four, two thousand five hundred and ninety-five, two thousand five hundred and ninety-six, two thousand five hundred and ninety-seven, two thousand five hundred and ninety-eight, two thousand five hundred and ninety-nine, two thousand six hundred, two thousand six hundred and one, two thousand six hundred and two, two thousand six hundred and three, two thousand six hundred and four, two thousand six hundred and five, two thousand six hundred and six, two thousand six hundred and seven, and two thousand six hundred and eight, all relating to the establishing of a Board of State Harbor Commissioners for the bay of San Diego," approved March 18, 1889, relative to the salaries and pay of the officers and employés of the Harbor Commissioners of the bay of San Diego.

Referred to Committee on Judiciary.

By Senator Bailey: Senate Bill No. 586—An Act to repeal an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor," approved March 13, 1887.

Referred to Committee on Public Printing.

Also: Senate Bill No. 587—An Act to repeal an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor," approved February 26, 1885.

Referred to Committee on Public Printing.

By Senator McComas: Senate Bill No. 588—An Act entitled "An Act to amend sections two hundred and sixty-nine, two hundred and seventy, two hundred and seventy-one, two hundred and seventy-two, two hundred and seventy-three, and two hundred and seventy-four of chapter three of title four of the Code of Civil Procedure.

Referred to Committee on Judiciary.

By Senator Broderick: Senate Bill No. 589—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of the State having fifty thousand inhabitants and over that number; providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors.

Referred to Committee on City, City and County, and Town Governments.

By Senator Dray: Senate Bill No. 590—An Act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages.

Referred to Committee on Judiciary.

Also: Senate Bill No. 591—An Act to provide for establishing title to real estate by judgment of Court.

Referred to Committee on Judiciary.

By Senator Mead (by request): Senate Bill No. 592—An Act to amend section thirteen of an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Referred to Committee on Judiciary.

By Senator De Long: Senate Bill No. 593—An Act to authorize the State Prison Directors of the State of California to employ any unemployed prisoners to construct roads to the State Prison at San Quentin.

Referred to Committee on State Prisons and Prison Buildings.

REPORTS OF STANDING COMMITTEES.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 9, 1891.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 466—Relating to an Act authorizing the appointment of a State Agent for the guidance and employment of discharged convicts, defining his duties, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PRESTON, Chairman.
By MAHONEY.

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, February 9, 1891.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Senate Bill No. 560—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. H. WILLIAMS, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 9, 1891.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 308—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be substituted for Senate Bill No. 262 (No. 38 on file).

DE LONG, Chairman.

SPECIAL ORDER.

Senator Sprague asked, that as the time had arrived which had been set aside for the consideration of Senate Constitutional Amendment No. 15, that it be now taken up.

So ordered.

Senate Constitutional Amendment No. 15—A resolution to propose an amendment to and providing for the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners.

Senator Mead moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Senator Sprague moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

Senator Dray moved to amend by adding to section twenty-two, "to take effect January first, eighteen hundred and ninety-five," and to section twenty-three, "to take effect January first, eighteen hundred and ninety-five."

The ayes and noes were demanded by Senators Ostrom, Goucher, and Mead.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Crandall, Dray, Goucher, Mead, Ostrom, Shippee, and Wilson—7.
NOES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Dargie, Denison, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.

The roll was then called on the adoption of Senate Constitutional Amendment No. 15, which was lost, by the following vote:

AYES—Messrs. Berry, Crandall, Langford, McGowan, Mead, Ostrom, and Wilson—7.
NOES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.

ADJOURNMENT.

On motion of Senator Heacock, the Senate stood adjourned at four o'clock P. M.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 10, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Heacock moved that further reading of the Journal be dispensed with.

So ordered.

Senator Heacock moved that the Journal of February seventh be approved.

So ordered.

SENATE JOINT RESOLUTION—(OUT OF ORDER).

By Senator Voorhies: Senate Joint Resolution No. 17—Relative to the mining industry in California.

Referred to Committee on Mines and Mining.

REPORTS OF STANDING COMMITTEES.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Senate Bill No. 107—Relating to the damage from the overflow of artesian wells.

Also: Senate Bill No. 462—Relating to the organization and government of irrigation districts.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

R. H. CAMPBELL, Chairman.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bills Nos. 561 and 569—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

MAHONEY, Chairman.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 9, 1891.

MR. PRESIDENT: Your Committee on Engrossment beg leave to report that the following Senate Bill has been correctly engrossed:

Senate Bill No. 176—An Act to ascertain and express the will of the people of the State of California upon the subject of the election of United States Senators.

RAGSDALE, Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, February 9, 1891.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 155—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAHER, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 408—An Act making an appropriation to pay the deficiency in the appropriation for stationery, supplies, fuel, and lights for Legislature and State officers, for the fortieth fiscal year.

Also: Adopted Senate Joint Resolution No. 8—Relative to memorializing Congress to loan money to farmers at two per cent per annum.

Also: Respectfully refuse to adopt Senate Joint Resolution No. 9—Relative to memorializing Congress to loan money to farmers at the rate of two per cent per annum.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Assembly Bill No. 408 was referred to Committee on Finance.

Senate Joint Resolution No. 8 was ordered to enrollment.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Langford—Senate Bill No. 594—An Act to amend the Political Code of the State of California, relating to the duty of Sheriff.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 595—An Act to pay the claim of Joseph C.

Gorman, for services rendered as member of the Constitutional Convention, and appropriating money therefor.

Referred to Committee on Claims.

By Senator Denison: Senate Bill No. 596—An Act to amend section one thousand nine hundred and twenty of the Code of Civil Procedure, relating to entries in official books and records.

Referred to Committee on Judiciary.

By Senator Heacock: Senate Bill No. 597—An Act authorizing persons having claims against the State, or against counties, to prosecute and establish them in Courts, and providing for the payment of judgments.

Referred to Committee on Judiciary.

By Senator Berry: Senate Bill No. 598—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relating to mortgages.

Referred to Committee on Constitutional Amendments and Banks and Banking.

By Senator Campbell of Siskiyou: Senate Bill No. 599—An Act entitled an Act relating to the working, rights of way, easement, and drainage of mines in the State of California.

Referred to Committee on Mines and Mining.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Assembly Bill No. 224—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be substituted on Senate file for Senate Bill No. 374.

G. H. WILLIAMS, Chairman.

MOTION.

Senator Goucher moved that Assembly Bill No. 224, as it passed the Assembly, be read first time, and substituted for Senate Bill No. 374.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 224—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections one, two, three, four, eleven, twelve, thirty-five, and forty-two thereof, relating to irrigation districts.

Bill read first time, and substitution ordered.

MOTION.

Senator Berry moved that Senate Bill No. 171 be rereferred to Committee on Counties, County Governments, and Township Organization.

So ordered.

SPECIAL ORDER.

Eleven o'clock and thirty minutes A. M., the time set for the consideration of Senate Bill No. 267—An Act to regulate the interest

of money—having arrived, the President declared its consideration in order.

Bill read second time.

Senator Wilson moved to amend by striking out all of section four down to the word "every" in line four.

Amendment adopted.

On the question, "Shall the bill be ordered engrossed and on file for third reading?" Senator De Long moved a call of the Senate.

So ordered.

Senator Flint was excused on account of sickness.

Roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), and Wilson.

Senator Dray moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

Ayes and noes were demanded by Senators De Long, Everett, and Broderick.

The bill as amended was ordered to engrossment and third reading, by the following vote:

Ayes—Messrs. Berry, Britt, Broderick, Everett, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Streeter, Welch, Williams (Geo. H.), and Wilson—18.

Noes—Messrs. Bailey, Banks, Byrnes, Campbell of Solano, Campbell of Siskiyou Carpenter, Crandall, Dargie, De Long, Denison, Dray, Fraser, Heacock, Shippee, Simpson, and Voorhies—16.

RECESS.

At twelve o'clock and ten minutes P. M., the Senate took a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Streeter: Senate Bill No. 600—An Act making an appropriation for additional buildings and improvements of the Southern California State Hospital for the Insane.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Ragsdale: Senate Bill No. 601—An Act making an appropriation to pay the Journal Clerk of the Assembly for completing the Journal of the Assembly of the twenty-sixth session of the Legislature.

Referred to Committee on Claims.

By Senator Everett: Senate Bill No. 602—An Act to regulate the sale, at retail, of spirituous, malt, or fermented liquor, or wine, in the State of California, and to provide for the issuance of license.

Referred to Committee on Education and Public Morals.

By Senator De Long: Senate Bill No. 603—An Act to amend sections three hundred and thirty-two, three hundred and thirty-three, three hundred and thirty-four, and three hundred and thirty-five of the Political Code.

Referred to Committee on Public Printing.

Also: Senate Bill No. 604—An Act to amend section five of the Political Code, relating to the duties of the Superintendent of State Printing.

Referred to Committee on Public Printing.

RESOLUTION—(OUT OF ORDER).

By Senator Dray:

Resolved, That the sum of twenty-six dollars be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Senate, to Ditmar & Wheat, for shades, rollers, fringe, etc., furnished the Sergeant-at-Arms' office (as per bill attached), and the Controller is hereby directed to draw his warrant on the State Treasury, in favor of Ditmar & Wheat, for said sum.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 459—An Act to amend section seventeen of the Political Code of the State of California, defining the meaning of certain words.

Also: Senate Bill No. 516—An Act to enable the Coulterville and Yosemite Turnpike Company, a corporation, to sue the State of California for the loss and damage suffered and sustained by said corporation, by the construction of a road by the Yosemite Turnpike Road Company, under and by virtue of an Act of the Legislature of the State of California, entitled "An Act granting the right of way to the Yosemite Turnpike Road Company over the Yosemite grant," approved February 17, 1874, and for the relief of said Coulterville and Yosemite Turnpike Company.

Respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 435—An Act to amend section thirty-five of an Act entitled "An Act to repeal the Act passed March 26, 1851, entitled 'An Act to incorporate the city of Sacramento,' and the several Acts amendatory and supplementary thereto, and to incorporate the city and county of Sacramento," approved April 24, 1858.

Also: Senate Bill No. 458—An Act defining the word "revenue," when used in any statute of this State, providing for the payment of the revenue from certain municipal sources into a sinking and interest fund for the payment of the annual interest and the final redemption of the bonded indebtedness of any city, or city and county, in this State.

Respectfully report the same back, and recommend that they do pass as amended.

SPRAGUE, Chairman.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Senate Bill No. 494—Relating to organization and government of irrigation districts, assessments and collection of taxes, amending sections eighteen, twenty-four, twenty-five, and twenty-six of an Act approved March 7, 1887—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

R. H. CAMPBELL, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 408—have had the same under consideration, and respectfully report the same back, and recommend that it be substituted in place of Senate Bill No. 303 (No. 103 on Senate file of this date), and be read first time.

DE LONG, Chairman.

LEAVE OF ABSENCE.

Senator Sprague asked an indefinite leave of absence for Senator Flint, on account of sickness.

Granted.

MOTIONS.

Senator De Long moved that Assembly Bill No. 408—An Act making an appropriation to pay the deficiency in the appropriation for stationery, supplies, fuel, and lights for Legislature and State officers, for the fortieth fiscal year—be substituted for Senate Bill No. 303 (No. 103 on file).

So ordered.

Senator Ostrom moved that the time set for consideration of Senate Bill No. 6 be postponed until the matter in hand be disposed of.

So ordered.

Senator McGowan asked that the same course be pursued in regard to Senate Bill No. 121.

So ordered.

Senator De Long moved that Assembly Bill No. 408, substituted for Senate Bill No. 303, be read first time.

So ordered.

Bill read first time.

SPECIAL ORDERS.

The hour, two o'clock P. M., set for the consideration of Senate Bills Nos. 6 and 121, having arrived, the President declared their consideration in order.

Senate Bill No. 6—An Act in relation to reassessments of property and the equalization of the same in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment.

Bill read third time.

On the question of the final passage of the bill.

Senator Sprague moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Senators Flint, Preston, and Seawell had been previously granted a leave of absence.

Senator Heacock moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

Bill read third time, and refused final passage by the following vote:

AYES—Messrs. Berry, Crandall, Goucher, Heacock, Langford, McGowan, Mead, Ostrom, Shippee, and Wilson—10.

NOES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Hamill, Harp, Maher, Mahoney, McComas, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.

Senator Sprague moved that the special order set for this time be made a special order for to-morrow, at eleven o'clock A. M.

Motion lost.

The President then ordered taken up Senate Bill No. 121—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Senator Ostrom moved a call of the Senate.

So ordered.

The following Senators answered to their names:

Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Senator Hamill moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The roll was called, and the bill was refused final passage by the following vote:

AYES—Messrs. Bailey, Berry, Campbell of Solano, Carpenter, Crandall, De Long, Dray, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Shippee, Streeter, and Wilson—17.

NOES—Messrs. Banks, Britt, Broderick, Dargie, Denison, Everett, Fraser, Goucher, Hamill, Harp, McGowan, Ragsdale, Simpson, Sprague, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—18.

NOTICE OF RECONSIDERATION.

Senators Mead and McGowan each gave notice that they would on to-morrow move to reconsider the vote by which Senate Bill No. 121 was refused passage.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Carpenter: Senate Bill No. 605—An Act to provide pensions for teachers of public schools of the State of California.

Referred to Committee on Education and Public Morals.

By Senator Crandall: Senate Bill No. 606—An Act to amend section three thousand six hundred and thirty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the assessment of property.

Referred to Committee on Judiciary.

Also: Senate Bill No. 607—An Act to add a new section, to be known as section five hundred and ninety-three of the Penal Code of the State of California, making it a felony for a person, company, or corporation operating irrigating ditches to refuse to supply water for domestic and irrigating purposes.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 608—An Act to add a new section, to be known as section five hundred and fifty-three of the Civil Code of the State of California, concerning the sale of water for domestic and irrigation purposes.

Referred to Committee on Irrigation and Water Rights.

By Senator Everett: Senate Bill No. 609—An Act to amend section six hundred and eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to cemetery corporations.

Referred to Committee on Corporations.

By Senator De Long: Senate Joint Resolution No. 18—Relative to Nicaragua Canal.

Referred to Committee on Federal Relations and Immigration.

MOTION.

Senator Campbell of Solano moved that Senate Bill No. 165 be made a special order immediately after reading the Journal to-morrow.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Senate Joint Resolution No. 16, introduced by Mr. Maher, and which reads as follows:

SENATE JOINT RESOLUTION No. 16.

A resolution requesting the Congress of the United States to pass the bill to promote the shipping interests.

WHEREAS, We believe that the shipping interests are of the most vital importance to all the seaport towns on the Pacific Coast, and will build up and greatly benefit the people of this State, and that our commercial interests will be greatly benefited, thereby adding to the general prosperity of the nation and this State; therefore, be it

Resolved by the Senate and Assembly of the State of California, That we earnestly request our Senators and Representatives in the Congress of the United States to use every honorable means to secure the passage of the Shipping bill now pending before Congress.

Resolved, That our Representatives in Congress are hereby requested to present the same to the House of Representatives; and be it further

Resolved, That his Excellency the Governor is hereby requested to immediately forward, by telegraph, a copy of this resolution to each of our Senators and Representatives in Congress.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. H. WILLIAMS, Chairman.

On motion of Senator Heacock, the report was adopted.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bills No. 258, 513, 554, 441, and 473—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

DARGIE, Chairman.

ON LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: Your Committee on Library and Rules, to whom was referred the following resolution:

Resolved, That Rule 8 be amended by inserting in line two of said rule, after the word "place," the following: "apportionment bills and."

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Assembly Joint Resolution No. 8—Relative to authorizing and directing the State Printer to deliver ten copies of every work published or printed in the State Printing Office to the State Librarian, also two copies to the Librarian of the State University—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

McGOWAN, Chairman.

Senator McGowan moved that the consideration of the reports of Committee on State Library and Rules be made a special order for to-morrow, at eleven o'clock and thirty minutes A. M.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Senator Welch:

Resolved, That the Committee on Corporations be and it is hereby instructed to report back Senate Bill No. 102, in compliance with Senate Rule 49.

Adopted.

COMMUNICATION.

The following communication was ordered read by the President:

PERKINS, February 8, 1891.

Hon. J. B. REDDICK, *President of the Senate:*

SIR: At the last regular meeting of Brighton Sub-Alliance, the following resolution was unanimously adopted, which we trust will be received kindly and with favor at your hands:

To the honorable Senate and Assembly of the State of California:

WHEREAS, A bill is now pending before your honorable body for the appropriation of three hundred thousand dollars for the benefit of the World's Fair, to be held in the city of Chicago; therefore, be it

Resolved, That Brighton Alliance No. 4, of the Order of The Farmers' Alliance and Industrial Union, do hereby earnestly protest against any appropriation, viewing it as an unnecessary waste of the people's money; also,

Resolved, That a copy of this resolution be forwarded by the Secretary to the President of the Senate and the Speaker of the Assembly, for the consideration of their respective bodies.

Respectfully submitted.

J. E. CAMP, President.
A. D. MURPHY, Secretary.

On motion of Senator Goucher, the communication was ordered printed in the Journal.

ADJOURNMENT.

On motion of Senator Mead, the Senate stood adjourned at five o'clock P. M.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 11, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Mead moved that further reading of the Journal be dispensed with.

So ordered.

LEAVE OF ABSENCE.

Senator Goucher asked leave of absence for Senator Heacock for three days.

Granted.

Senator Sprague asked leave of absence for Senator Hamill for balance of the week.

Granted.

MOTION.

On motion of Senator Mead, the Journal of February 9, 1891, was approved.

SPECIAL ORDER.

The President ordered taken up the special order set for this hour: Senate Bill No. 165—An Act to restrict gaming.

Bill read second time.

Senator Crandall moved to recommit the bill to the committee, to make the bill an amendment to the Penal Code, and sectionize accordingly.

Senator Berry moved to amend by adding that the committee be instructed to return the bill within three days.

Senator Crandall accepted the amendment.

Senator Campbell of Solano moved to amend, that the committee report the bill back at three P. M. this day.

Amendment lost.

The question was then put on the original motion as amended, which was lost.

On the question, "Shall the bill be ordered engrossed and to third reading?" Senators Ostrom, Berry, and Goucher demanded the ayes and noes.

The roll was called, and the bill refused engrossment and third reading by the following vote:

AYES—Messrs. Berry, Campbell of Solano, Crandall, Denison, Dray, Fraser, Langford, McGowan, Mead, Ostrom, Shippee, Simpson, Streeter, and Wilson—14.
NOES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Carpenter, Dargie, De Long, Everett, Goucher, Harp, Maher, Mahoney, McComas, Ragsdale, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—19.

The President then ordered the other special order set for this hour taken up:

ASSEMBLY JOINT RESOLUTION No. 8.

Joint resolution relative to authorizing and directing the State Printer to deliver ten copies of every work published or printed in the State Printing Office to the State Librarian, also two copies to the Librarian of the State University.

Resolved by the Assembly, the Senate concurring, That the State Printer be and he is hereby authorized and directed to deliver to the State Librarian ten copies of all State publications printed in the State Printing Office, also two copies of the same to the Librarian of the State University, one half of which shall be bound in cloth or leather.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—28.
NOES—Mr. Langford—1.

The report of Committee on Rules was reset for consideration immediately after special order already set for two o'clock P. M. this day.

RESOLUTION—(OUT OF ORDER).

By Senator Mead: Senate Joint Resolution No. 19:

WHEREAS, Within the past year the War Department at Washington has seen fit to cause the removal of the United States troops from Fort Bidwell, California; and whereas, such removal of troops has left a large portion of Northern California and the adjacent counties of Oregon and Nevada, over which roam large bands of restless and warlike Indians, without military protection to the people of that large territory; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That our Senators be instructed, and our Representatives in Congress be requested, to use their utmost diligence in having the recommendation of the Special Inspectors sent out by the War and Interior Departments to investigate the necessity of military protection at Fort Bidwell, California, promptly carried out, together with the recommendation for the relief of the Pitt River and Piute Indians.

Resolved, That his Excellency the Governor is hereby requested to forward to each of our Senators and Representatives in Congress a copy of these resolutions by telegraph.

The roll was called, and the resolution was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Langford, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Wilson—32.
NOES—None.

Senator Mead moved that the resolution be immediately transmitted to the Assembly.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON CONSTITUTIONAL AMENDMENTS AND BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, February 11, 1891.

MR. PRESIDENT: Your Committee on Constitutional Amendments and Banks and Banking, to whom was referred Senate Constitutional Amendment No. 19—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Constitutional Amendment No. 18—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

CRANDALL, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 191—An Act to amend section three hundred and twenty-one of the Penal Code of California, prohibiting the sale or other disposition of lottery tickets, and providing the the punishment therefor.

Also: Senate Bill No. 212—An Act to amend section one thousand five hundred and twenty-four of the Penal Code of California, designating the grounds upon which search warrants may be issued.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No. 209—An Act to authorize cities of not less than twenty-six thousand nor more than thirty thousand inhabitants, to vote upon the question of paying indebtedness incurred in the years eighteen hundred and eighty-nine and eighteen hundred and ninety—respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 202—An Act to authorize the Governor and Surveyor-General to sell and convey the State's interest in certain land—respectfully report the same back without recommendation.

SPRAGUE, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: Your Committee on Claims beg leave to make the following report:

First—They have considered Senate Bills Nos. 348 and 595, and recommend that they do pass.

Second—Also: Senate Bill No. 505, and recommend its indefinite postponement.

Third—Also: Senate Bill No. 484, without consideration, and recommend it be rereferred to the Committee on Education and Public Morals for their consideration.

Fourth—Also: Senate Bill No. 515, and recommend its indefinite postponement, at request of the author of the bill, Senator Dargie.

Fifth—Also: Senate Bill No. 243, and report the same back without recommendation.

FRASER, for Committee.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 11, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the sum of twenty-six dollars be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Senate, to Ditmar & Wheat, for shades, rollers, fringe, etc., furnished the Sergeant-at-Arms' office (as per bill attached), and the Controller is hereby directed to draw his warrant on the State Treasury, in favor of Ditmar & Wheat, for said sum.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BYRNES, Chairman.

The report of the Committee on Attachés, Contingent Expenses, and Mileage, relative to the claim of Ditmar & Wheat, was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Wilson—32.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the sum of five thousand five hundred and twenty-four dollars and forty cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Senate to J. H. Mahoney, for expenses incurred by him in the contested election case of Murphy vs. Mahoney, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of J. H. Mahoney for said claim.

Have had the same under consideration, and respectfully report the same back and recommend that the following substitute be adopted:

Resolved, That the sum of three thousand seven hundred and seventy-four dollars and forty cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Senate to J. H. Mahoney, for expenses incurred in the contested election case of Murphy vs. Mahoney, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of J. H. Mahoney, and the Treasurer is hereby directed to pay the same, as per the accompanying statement:

Senate of the State of California, in the matter of the contested election of P. J. Murphy vs. J. H. Mahoney.

EXPENSES OF RESPONDENT.

Notaries' fees	$4 50
Certified copies	15 00
Type writer copies	41 00
One half reporters' fees and transcribing testimony—three copies for committee	447 40
One half Justice's fees	50 00
Serving subpœnas, mileage of witnesses, and conveyance account	237 50
Services of persons employed watching ballots and securing witnesses	383 00
Attorneys' fees—to Messrs. Dorn & Dorn, Henry I. Kowalsky, and Messrs. Lloyd & Woods	3,750 00
Incidental expenses	94 00
Witness fees—twenty-eight witnesses, three days at two dollars per day	168 00
Witness fees—twelve witnesses, five days at two dollars per day	120 00
Witness fees—fourteen witnesses, six days at two dollars per day	168 00
Witness fees—twenty-three witnesses, one day at two dollars per day	46 00
Total amount	$5,524 40
Less attorneys' fees	1,750 00
Due J. H. Mahoney	$3,774 40

BYRNES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the sum of three thousand three hundred and thirty-three dollars and ninety cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Senate to P. J. Murphy, for expenses incurred by him in the contested election case of Murphy vs. Mahoney, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of said P. J. Murphy for the said sum.

Have had the same under consideration, and respectfully report the same back, and recommend that the following substitute be adopted:

Resolved, That the sum of four hundred and forty-seven dollars and fifty cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Senate to Clement Bennett, for one half on the reporter's fees, in the contested election case of Murphy vs. Mahoney; and further, that the sum of fifty dollars be and the same is hereby allowed and paid out of the Contingent Fund of the Senate to Justices Low and Wood, for one half of the Justices' fees in the contested election case of Murphy vs. Mahoney, and the Controller is hereby authorized and directed to draw his warrants in accordance therewith, and the Treasurer is directed to pay the same.

BYRNES, Chairman.

On motion of Senator McGowan, reports of Committee on the Murphy vs. Mahoney contested election case were made special order for Friday, at two o'clock P. M.

RECESS.

At twelve o'clock M. the Senate took a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou., Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Langford, Maher, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

LEAVE OF ABSENCE.

Senator Bailey asked leave of absence for the balance of the afternoon for Senator McComas.

Granted.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 632—An Act to provide an appropriation for the contingent expenses of the Assembly.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

RESOLUTION—(OUT OF ORDER).

By Senator McGowan:

Resolved, That Assembly Bill No. 632 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Langford, Maher, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—29.
NOES—None.

CASE OF URGENCY.

Assembly Bill No. 632—An Act to provide an appropriation for the contingent expenses of the Assembly.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Langford, Maher, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—29.
NOES—None.

Title read and approved.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Mead: Senate Bill No. 610—An Act to amend an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such districts," by amending sections three, eight, and thirteen thereof.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 611—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding to article two, of chapter two, of title six, of part three thereof, a new section, numbered two thousand six hundred and thirty-four, authorizing the use on public highways, except in incorporated cities, of traction engines and road locomotives.

Referred to Committee on Roads and Highways.

By Senator Ostrom: Senate Bill No. 612—An Act to define the boundary, and provide for the government of Levee District No. 6, of Sutter County, California.

Referred to Committee on Public and Swamp and Overflowed Lands.

Also: Senate Bill No. 613—An Act to provide for funding the indebtedness of Levee District No. 6, of Sutter County, and to provide for the payment of such funded debt.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Wilson: Senate Bill No. 614—An Act to more honestly equalize taxes on the people by providing for a tax of one half per cent on the incomes of all associations, firms, corporations, and individuals exceeding five thousand dollars, as provided in section two, article thirteen of the Constitution.

Referred to Committee on Judiciary.

RESOLUTION OF RESPECT.

The following from the San Francisco delegation was read and ordered printed in the Journal:

SENATE CHAMBER, SACRAMENTO, February 11, 1891.

MR. PRESIDENT: The San Francisco delegation, at a meeting held this day, adopted the following preamble and resolutions, and respectfully request that the same be printed in the Journal of the Senate:

MAHER, Chairman.

WHEREAS, It has pleased Almighty God, in His wisdom, to remove from this earth Mrs. Mary L. Hamill, the beloved wife of our colleague, Hon. John E. Hamill; therefore, be it

Resolved, That we, the members of the San Francisco delegation in the State Senate of California, sincerely sympathize with our brother Senator in his great affliction and irreparable loss, and tender him our heartfelt condolence in this, his hour of great sorrow.

Resolved, That in respect to the memory of the deceased, and as a mark of kindly feeling for our colleague, we will escort the remains of his late wife to the train upon which they are to be borne to her late home in San Francisco.

Senate Bill No. 128 and Senate Constitutional Amendments Nos. 3 and 7 were passed on file.

On motion of Senator Ostrom, the third reading file was then taken up.

THIRD READING OF BILLS.

Assembly Bill No. 211—An Act to increase the police force of the various cities, and cities and counties, and towns, of the State, and to provide for the appointment of such extra police officers and for the payment of their salaries.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Harp, Langford, Maher, McGowan, Mead, Ostrom, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—31.

NOES—None.

Title read and approved.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Senator Campbell of Solano: Senate Bill No. 615—An Act authorizing the Governor of the State of California to offer a reward for the arrest and conviction of the party or parties who murdered Mrs. John Greenwood, in Napa County, on the evening of February 9, 1891, and making an appropriation to pay the same.

Referred to Committee on Judiciary.

SPECIAL ORDER.

Assembly Bill No. 121—An Act to repeal an Act entitled "An Act to declare the Klamath River navigable."

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Fraser, Goucher, Langford, McGowan, Mead, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, and Welch—24.

NOES—Messrs. Berry, Britt, Broderick, Dray, Harp, Maher, Mahoney, Ostrom, Williams (Wm. H.), Williams (Geo. H.), and Wilson—11.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator McGowan gave notice that on to-morrow he would move a reconsideration of the vote by which Assembly Bill No. 121 was finally passed.

MOTION.

Senator Bailey moved that Senate Bills Nos. 47, 2, and 16, the next three appearing on the special order file, be made special orders for next Monday, immediately after the reading of the Journal.

So ordered.

Senator McGowan moved the reconsideration of the vote by which Senate Bill No. 121 was refused final passage.

PRESENTATION OF PETITIONS—(OUT OF ORDER).

By Senator Crandall: A memorial petition from the Chamber of Commerce of the city of San José, praying for relief from high insurance rates, and protesting against the so called insurance compact.

CONSIDERATION OF SENATE BILL No. 121—(RESUMED).

Roll called, and the motion to reconsider was lost by the following vote:

AYES—Messrs. Berry, Crandall, Dray, Langford, Maher, McGowan, Mead, Ostrom, Streeter, and Wilson—10.
NOES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Denison, Everett, Fraser, Harp, Mahoney, Ragsdale, Sprague, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—17.

The following Senators were paired on the vote for reconsideration of Senate Bill No. 121: Senator Goucher was paired with Senator Heacock; Senator De Long with Senator Dargie; Senator Preston with Senator Flint; Senator Bailey with Senator Seawell; Senator Shippee with Senator Hamill.

Senators Goucher, Hamill, Dargie, Flint, and Seawell would each have voted "no."

Senators Heacock, De Long, Preston, Bailey, and Shippee would each have voted "aye."

MOTION.

On motion, the use of the Senate Chamber for this evening was given the Joint Committee on Education and Public Morals of the Senate and Assembly.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 278 was passed on file.

Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish and game.

Senator De Long moved that the President appoint a committee of one to amend as follows:

Strike out of section one, line four, the words "thirty-first day of July and the first day of September," and insert in lieu thereof the following: "fifteenth day of June and the fifteenth day of August."

So ordered.

The President appointed Senator De Long as that committee.

REPORT OF COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 11, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 214, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

DE LONG, Committee.

On motion, the report was adopted, the bill as amended ordered engrossed and printed, and to retain its place on file.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Senator Campbell of Siskiyou: Senate Bill No. 616—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of

water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by adding thereto a new section, to be known as section forty-one and one half.

Referred to Committee on Irrigation and Water Rights.

ADJOURNMENT.

On motion of Senator Berry, the Senate stood adjourned at four o'clock and forty minutes P. M.

IN SENATE.

SENATE CHAMBER,
Thursday, February 12, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

LEAVE OF ABSENCE.

Senator Mahoney asked leave of absence for Senator Carpenter on account of sickness.

Granted.

Senator Campbell of Solano asked leave of absence for the balance of the day to attend to committee duties.

Granted.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Ragsdale moved that further reading of the Journal be dispensed with.

So ordered.

Senator Ostrom moved that the Journal of February 10, 1891, be approved.

So ordered.

PRESENTATION OF PETITIONS.

By President J. B. Reddick: From nine hundred and twenty citizens of San Francisco, relative to the Sunday law.

Referred to Committee on Education and Public Morals.

By Senator McGowan: The following protest against Assembly Bill No. 45:

To the honorable Senate and Assembly of the State of California:

The undersigned, wholesale merchants of San Francisco, California, and members of the Board of Trade of San Francisco, respectfully but earnestly protest against the passage of Assembly Bill No. 45. This bill proposes to enact a new section to be known as section three thousand four hundred and fifty-three in the title of the Civil Code relating to assignments for the benefit of creditors. As drawn, it forbids any transfer, conveyance, sale, or assignment to be made by any party for the benefit of any creditors, unless made in compliance with the provisions of said title. This would necessarily result in requiring every debtor who wished to transfer his assets in liquidation of his indebtedness, to make an assignment to the Sheriff. This the mercantile community earnestly protests against.

It frequently happens that a debtor who finds himself embarrassed is willing to turn over his assets to his heaviest creditors, to be divided pro rata among all of them. This is the most inexpensive method known of settling with failing debtors. The object of the bill is to annul any such amicable arrangement between debtors and creditors and compel assignments or transfers to be made in every instance to the Sheriff, with all its attending expenses, delays, and costs.

It has been charged that members of the Board of Trade of San Francisco are constantly taking these amicable transfers and excluding other deserving creditors. We respectfully, but emphatically deny this. Our last annual report shows that a large revenue is derived from, including non-members, these transfers, and during the last year between five hundred and one thousand notices were sent to non-members, notifying them of transfers made for the benefit of creditors.

No creditor has ever been excluded from these transfers where the debtor wished him to be included. It could not legally be done. A transfer in such a case would be chargeable as a trustee for all creditors, and any one excluded could maintain his action, and recover his ratable share.

The above bill, if passed, will largely diminish the now small percentage received by the merchants of San Francisco from their failing patrons and retail dealers.

We respectfully, but earnestly, urge that your honorable Legislature do not pass an Act which will forbid creditors and debtors from making their own simple business-like compromises, settlements, or extensions.

Dated San Francisco, February 3, 1891.

Levi Strauss & Co.
Murphy, Grant & Co.
Bachman Brothers.
Wellman, Peck & Co., per Frank Harron, Secretary.
Cunningham, Curtiss & Welch.
Newhalls Sons & Co.
San José W. M. Co.
Goodyear Rubber Co.
S. W. Runyon.
Redington & Co.
W. and J. Sloane & Co.
Steen, Simon & Co.
M. Heller & Sons.
Esberg, Bachman & Co.
Sperry & Co. (incorporated), James Hogg, Vice-President.
Geo. McNear.
J. A. Folger & Co.
Robert Sanderson.
Baker & Hamilton.
Holbrook, Merrill & Stetson.
Dunham, Carrigan & Hayden Co., Sanford Bennett, Secretary.
Hawley Bros. Hardware Co., A. Arnold Secretary.
Sherwood & Sherwood.
H. H. Sherwood.
L. Dinkelspiel & Sons.
H. L. Love & Co.
Haffman, Alexander & Co.
Greenebaum, Weil & Michels.
Schweitzer & Co.
B. Blumenthal & Co.
Louis Kline & Co.
Lievre, Fricke & Co.
Jones & Co.
Haas Brothers.
Hooper & Jennings.
Washington Manufacturing Co.
M. M. Sadler & Co.
Friedlent & Glootz.
Le Count Bros.
Clinton E. Worden & Co.
W. W. Montague & Co.
H. S. Crocker Company, by H. S. Crocker, President.
A. Schilling & Co.
C. E. Whitney & Co.
Merry, Faull & Co.
Brigham, Hoofe & Co.
California Powder Works, J. Bermingham, President.
Schroder, Albrech & Co.
Tillmann Bruch.
John S. Bowman & Co.
W. Fleisher.
Nolan Bros.
Davis, Haber & Co.
Payot, Upham Co.
Triest & Co.
Cahn, Wickelsburg & Co.
Brown Bros. & Co.
Hyams, Panson & Co.
Lewis Meyers & Bros.
D. Block & Co.

REPORTS OF STANDING COMMITTEES.

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, February 12, 1891.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Senate Bills Nos. 155 and 156—have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

VOORHIES, Chairman.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 12, 1891.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 371—An Act to provide for the erection and furnishing of a Superintendent's residence, for the purchase of laundry machinery, for reflooring the female asylum building, and for the permanent improvement of the walks and driveways on the grounds of the State Asylum for the Insane at Stockton, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SIMPSON, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Senator Byrnes:

Resolved, That the sum of fourteen dollars and sixty cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Senate to the Hon. J. B. Reddick, President of the Senate, for mileage, and the Controller is hereby directed to draw his warrant on the State Treasury in favor of Hon. J. B. Reddick for said sum.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Harp, Langford, Mahoney, McComas, McGowan, Mead, Ostrom, Shippee, Simpson, Sprague, Streeter, Williams (Geo. H.), and Wilson—25.
NOES—None.

Also:

Resolved, That the sum of fifteen dollars and sixty cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Senate to Senator W. A. Shippee, for mileage, and the Controller is hereby directed to draw his warrant on the State Treasury in favor of Senator Shippee for said sum.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Dargie, Denison, Dray, Everett, Fraser, Goucher, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Simpson, Streeter, Williams (Wm. H.), Williams (Geo. H.), and Wilson—26.
NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 478—An Act making an appropriation to pay the Assistant Journal Clerks of the Senate (twenty-sixth session of the Legislature) for completing the Journal of the Senate.

Also: Senate Bill No. 267—An Act to regulate the interest of money.

Also: Senate Joint Resolution No. 8—Memorializing Congress to loan money to farmers, and to charge interest therefor at the rate of two per cent per annum.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

PRESENTATION OF PETITION—(OUT OF ORDER).

By Senator Ostrom: From Elk Grove Grange, relative to mutual insurance companies.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 11, 1891.

To the honorable Senate of the State of California:

I desire to call your attention to the report of the Hon. J. P. Dunn, State Controller, which shows that $2,637,000 of the State Funded Debt Bonds fall due July 1, 1893.

This debt must either be paid or refunded. It is probably unnecessary to consider the question of payment, on account of the shortness of the time in which the debt matures. I therefore recommend that you take immediate steps to enact the necessary legislation providing for the refunding of this debt. It is absolutely necessary that the Legislature attend to this duty at this session, in order that the proper officials may have ample time to perform their duties.

H. H. MARKHAM, Governor.

Referred to Committee on Finance.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Senator De Long: Senate Bill No. 617—An Act to provide for the payment of funded indebtedness of the State of California, and to contract a funded debt for that purpose.

Referred to Committee on Finance.

By Senator Berry: Senate Bill No. 618—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to the time of settlement of County Treasurers with the State Controller.

Referred to Committee on Counties, County Governments, and Township Organization.

Also: Senate Bill No. 619—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, in relation to the duties of County Auditors in making settlement with the State Controller.

Referred to Committee on Counties, County Governments, and Township Organization.

By Senator Wilson: Senate Constitutional Amendment No. 20—Relative to the payment of chaplains or other religious instructors in State institutions.

Referred to Committee on Constitutional Amendments and Banks and Banking.

RESOLUTION—(OUT OF ORDER).

By Senator Byrnes:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to pay the following bills: H. S. Crocker & Co., for postal scale, six dollars and twenty-five cents; Union Ice Company, for ice furnished, twenty-two dollars. The same to be paid out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrant for the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 413—An Act making an appropriation to pay the deficiency in the appropriation for repairs to State Capitol building and furniture, for the forty-first fiscal year.

Also: Assembly Bill No. 42—An Act making an appropriation to pay the deficiency in the appropriation for support of the State Insane Asylum at Stockton, for the forty-first and forty-second fiscal years.

Also: Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of ballot paper, for the forty-second fiscal year.

Also: Assembly Bill No. 423—An Act making an appropriation to pay the deficiency in the appropriation for the payment of claims incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Also: Adopted Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section eighteen of article eleven thereof, relative to the increasing of indebtedness or liability by any county, city, town, township, Board of Education, or school district.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 412—An Act making an appropriation to pay the deficiency in the appropriation for arrest of criminals without the limits of the State, for the fortieth fiscal year.

Also: Assembly Bill No. 418—An Act making an appropriation to pay the deficiency in the appropriation for salary of Commissioner of Bureau of Labor Statistics, for the fortieth fiscal year.

Also: Assembly Bill No. 419—An Act making an appropriation to pay the deficiency in the appropriation for construction of granite steps in the State Capitol grounds, for the forty-first and forty-second fiscal years.

Also: Assembly Bill No. 106—An Act appropriating money to pay the expenses of maintaining an exhibit of the products of the State of California at the World's Columbian Exposition, to be held in Chicago in 1893, and to provide for Commissioners thereof.

Also: Respectfully refuse to adopt Senate Constitutional Amendment No. 4—Relative to incurring of indebtedness or liability of county, city, town, township, Board of Education, or school district.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Assembly Bills Nos. 413, 42, 427, 106, 423, 412, 418, and 419 referred to Committee on Finance.

Assembly Constitutional Amendment No. 7 referred to Committee on Constitutional Amendments and Banks and Banking.

Senator Ostrom moved that substitute for Senate Bills Nos. 8, 57, and 123 be made a special order for Tuesday next, at ten o'clock and thirty minutes A. M.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Dargie, De Long, Denison, Everett, Fraser, Goucher, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Wilson—29.

NOES—Messrs. Crandall and Dray—2.

Senator Streeter moved that Senate Bill No. 331 be taken from the General File and placed on Special File.

So ordered.

Senator Maher moved that Senate Bill No. 480 be read the second time.

Senator Crandall submitted the following amendment:

I move that every Senator be allowed to take up any bill he may choose and have the same taken up and made a special order at some time designated, or placed on Special File, as the Senator may decide.

The ayes and noes were demanded by Senators Preston, Broderick, and Maher.

Roll called, and amendment lost by the following vote:

AYES—Messrs. Banks, Crandall, and McComas—3.
NOES—Messrs. Bailey, Berry, Broderick, Campbell of Siskiyou, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Langford, Maher, McGowan, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—26.

The roll was then called on the original motion, which was carried by the following vote:

AYES—Messrs. Banks, Broderick, De Long, Everett, Fraser, Goucher, Harp, Langford, Maher, McGowan, Ragsdale, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Wilson—18.
NOES—Messrs. Bailey, Berry, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, McComas, Preston, and Simpson—10.

Senator Ostrom was excused from voting.

Senator Crandall moved that Senate Bill No. 566 be substituted for Senate Bill No. 480, and read in place thereof.

The President ruled the motion of Senator Crandall out of order, on the ground that the bill had not been returned from the committee.

Senator Crandall appealed from the decision of the Chair.

On the question, "Shall the decision of the Chair stand as the decision of the Senate?" Senators Crandall, Preston, and Broderick demanded a roll call.

The roll was called, and the Chair sustained by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (W. H.), Williams (G. H.), and Wilson—31.
NOES—Messrs. Berry and Crandall—2.

SECOND READING OF BILLS—(OUT OF ORDER).

Senate Bill No. 480—An Act to amend section one thousand three hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a married woman as administratrix of an estate of a deceased person.

The following amendments were submitted:

By Senator Simpson:

Amend by adding to section one, after the word "extinguished," on line four, the following: "*provided, however*, that the provisions hereof shall in no manner apply to or affect any estate, matter, or proceeding now pending in any of the Courts of this State."

Amendment lost.

By Senator Berry:

Strike out section two.

Amendment lost.

Senator Crandall offered the following:

SUBSTITUTE FOR SENATE BILL No. 480.

An Act to amend sections one thousand three hundred and fifty-two, one thousand three hundred and seventy, and one thousand seven hundred and fifty-one of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the disabilities of married women to act as executors, administrators, or guardians.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one thousand three hundred and fifty-two of said Act is hereby amended so as to read as follows:

1352. The marriage of a woman appointed executrix does not extinguish her authority. When a married woman is named as executrix, she may be appointed and serve in every respect as a femme sole.

SEC. 2. Section one thousand three hundred and seventy of said Act is hereby amended so as to read as follows:

1370. A married woman may be appointed administratrix, the same as if she were unmarried. The marriage of an unmarried woman appointed administratrix does not extinguish her authority.

SEC. 3. Section one thousand seven hundred and fifty-one of said Act is hereby amended so as to read as follows:

1751. The father of the minor, if living, and, in case of his decease, the mother, being themselves, respectively, competent to transact their own business, and not otherwise unsuitable, must be entitled to the guardianship of the minor.

SEC. 4. This Act shall go into effect immediately.

Substitute by Senator Crandall lost.

Bill read second time, order engrossed and on file for third reading.

Senator Langford moved that the bill be made a special order for Monday next, at three o'clock P. M.

So ordered.

RECESS.

Senator Goucher moved that when the Senate take a recess to-day it do so until two o'clock P. M.

So ordered.

Whereupon, the President, at twelve o'clock and twenty minutes P. M., declared a recess.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President pro tem. Fraser in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Wilson.

Quorum present.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON COUNTIES, COUNTY GOVERNMENTS, AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 11, 1891.

MR. PRESIDENT: The Committee on Counties, County Governments, and Township Organization, to which was referred Senate Bill No. 519—An Act to incorporate the town of Red Bluff, Tehama County, California—have had the same under consideration, and respectfully report the same back with the recommendation that it do pass.

Also: Senate Bill No. 220—An Act authorizing Boards of Supervisors of the several counties to grant compensation to corporations or persons owning a toll road for improvements thereon, constructed after the franchise has expired—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 487—An Act to establish a uniform system of county and township governments—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 125—An Act to amend section three thousand nine hundred and twenty-six of the Political Code, relating to the boundary of Sutter County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. J. CAMPBELL, Chairman.

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, February 12, 1891.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Senate Bill No. 599—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VOORHIES, Chairman.

LEAVE OF ABSENCE.

Senator Williams asked leave of absence for the San Francisco delegation until three o'clock and thirty minutes P. M., to allow them to accompany the remains of the wife of Senator Hamill to the depot.

Granted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Streeter: Senate Bill No. 620—An Act to amend section one hundred and fifty-eight of the Code of Civil Procedure of the State of California, relating to the residence of Judges of the Superior Court.

Referred to Committee on Judiciary.

By Senator Mahoney: Senate Joint Resolution No. 20—Relative to the reserving a reasonable amount of the grazing land of the Round Valley Indian Reservation for the use of the Indians of said reservation.

Senator Mahoney asked that the resolution be made a special order for next Tuesday, at two o'clock P. M.

So ordered.

Senator Sprague moved that the Senate consider no other business, excepting the introduction of bills and the first reading file, until three o'clock and thirty minutes P. M.

So ordered.

FIRST READING OF BILLS.

The following bills were read first time and ordered to second reading:

Senate Bill No. 492—An Act to amend an Act entitled "An Act to provide for the building and furnishing of the Home for Soldiers' Widows and Orphans, and Army Nurses, and for the State to inquire into the management of such institution, by a uniform rule proportioned to the number of inmates in said institution, for the management of the same, and for the support of indigent persons residing in the said Home," approved March 16, 1889.

Senate Bill No. 474—An Act for the relief of Michael J. Maloney.

Senate Bill No. 177—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand inhabitants and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885, in relation to the duties and salary of clerks of said Police Courts.

Senate Bill No. 464—An Act to amend sections nine hundred and thirty-six and nine hundred and thirty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Senate Bill No. 547—An Act to amend section three hundred and thirty-five of the Political Code.

Senate Bill No. 548—An Act to amend sections three hundred and thirty-two, three hundred and thirty-three, and three hundred and thirty-four of the Political Code.

Senate Bill No. 549—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, and amended by amendatory Act approved March 6, 1889.

Senate Bill No. 466—An Act authorizing the appointment of a State agent for the guidance and employment of discharged convicts, defining his duties, and appropriating money therefor.

Senate Bill No. 560—An Act to prohibit the coming of Chinese persons into this State, whether subjects of the Chinese empire or otherwise; and to provide a registration, and fix the status of all Chinese persons now resident of this State.

Senate Bill No. 107—An Act to prevent damage from the overflow of artesian wells.

Senate Bill No. 462—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen, twenty-two, and twenty-three thereof, relating to irrigation districts.

Senate Bill No. 561—An Act to extend the jurisdiction of the Board of State Harbor Commissioners over East Street, San Francisco.

Senate Bill No. 569—An Act to empower the Board of State Harbor Commissioners to rectify the alignment of East Street from Pacific Street to Market Street, in the City and County of San Francisco, and to sell, acquire, and condemn adjacent property.

Assembly Bill No. 155—An Act to define the qualifications of persons performing labor for the State of California, and fixing a penalty for the violation thereof.

Senate Bill No. 459—An Act to amend section seventeen of the Political Code of the State of California, defining the meaning of certain words.

Senate Bill No. 516—An Act to enable the Coulterville and Yosemite Turnpike Company, a corporation, to sue the State of California for the loss and damage suffered and sustained by said corporation by the construction of a road by the Yosemite Turnpike Road Company, under and by virtue of an Act of the Legislature of the State of California entitled "An Act granting the right of way to the Yosemite Turnpike Road Company over the Yosemite Grant," approved February 17, 1874, and for the relief of the said Coulterville and Yosemite Turnpike Company.

Senate Bill No. 435—An Act to amend section thirty-five of an Act entitled "An Act to repeal the Act passed March 26, 1851, entitled 'An Act to incorporate the city of Sacramento,' and the several Acts amend-

atory and supplementary thereto, and to incorporate the city and county of Sacramento," approved April 24, 1858.

Senate Bill No. 458—An Act defining the word revenue, when used in any statute of this State, providing for the payment of the revenue from certain municipal sources into a sinking and interest fund for the payment of the annual interest and the final redemption of the bonded indebtedness of any city, or city and county, in this State.

Senate Bill No. 494—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections eighteen, twenty-four, twenty-five, and twenty-six thereof, relating to the assessment of property and the collection of such assessments.

JOINT RESOLUTION.

Senate Joint Resolution No. 16—A resolution requesting the Congress of the United States to pass the bill to promote the shipping interests.

Passed on file temporarily.

FIRST READING OF BILLS—(RESUMED).

The following bills were read first time and ordered to second reading:

Senate Bill No. 258—An Act prescribing the power, duties, and rights of corporations, companies, associations, or persons furnishing water to any city and county, city, or town, or to the inhabitants thereof, and to regulate water rates.

Senate Bill No. 513—An Act to amend an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose."

Senate Bill No. 554—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto certain new and additional sections, to provide the mode of carrying into effect certain provisions of said Act, relative to changing grades.

Senate Bill No. 441—An Act to provide for public safety at steam railroad crossings, to secure flagmen therefor, and to regulate speed of engines on crossings, streets, and avenues.

Senate Bill No. 473—An Act to amend section thirty-five of "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and the construction of sewers within municipalities," approved March 18, 1885; and also section three of an Act amendatory thereof, approved March 14, 1889.

Senate Bill No. 191—An Act to amend section three hundred and twenty-one of the Penal Code of California, prohibiting the sale or other disposition of lottery tickets, and providing the punishment therefor.

Senate Bill No. 212—An Act to amend section one thousand five

hundred and twenty-four of the Penal Code of California, designating the grounds upon which search warrants may be issued.

Assembly Bill No. 209—An Act to authorize cities of not less than twenty-six thousand nor more than thirty thousand inhabitants to vote upon the question of paying indebtedness incurred in the years eighteen hundred and eighty-nine and eighteen hundred and ninety.

Senate Bill No. 202—An Act to authorize the Governor and Surveyor-General to sell and convey the State's interest in certain land.

Senate Bill No. 348—An Act making an appropriation to pay the claim of William Darby.

Senate Bill No. 595—An Act to pay the claim of Joseph C. Gorman, for services rendered as member of the Constitutional Convention, and appropriating money therefor.

Senate Bill No. 243—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, February 12, 1891.

MR. PRESIDENT: Your Committee on Public Roads and Highways, to whom was referred Senate Bill No. 546—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll tax—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BAILEY, Chairman.

Senator Ragsdale moved that Senate Bill No. 546—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll tax—be read first time.

So ordered.

Bill read first time, and ordered to second reading.

Senator Ragsdale requested that Senate Bill No. 292 be withdrawn, and that Senate Bill No. 546 be substituted therefor, and take its place on file.

So ordered.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Senator Byrnes: Senate Bill No. 621—An Act to provide for the formation, government, operation, and distribution of sanitary districts in any part of the State for the construction of sewers, and other sanitary purposes, and acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and distribution of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds and the disposal of proceeds.

Referred to Committee on City, City and County, and Town Governments.

RECESS.

At two o'clock and thirty-five minutes P. M. Senator Preston moved that the Senate take a recess for thirty minutes.

So ordered.

REASSEMBLED.

At three o'clock and five minutes P. M. the Senate reassembled.
Hon. Thos. Fraser, President pro tem. of the Senate, in the chair.

MOTION.

Senator Sprague moved that the Senate continue the recess for fifteen minutes.
So ordered.

REASSEMBLED.

At three o'clock and thirty minutes P. M. the Senate reassembled.
Hon. Thos. Fraser, President pro tem. of the Senate, in the chair.

CALL OF THE SENATE.

Senator Preston moved a call of the Senate.
So ordered.
Roll called, and the following Senators answered to their names:

Messrs. Banks, Berry, Broderick, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Harp, Langford, Maher, McComas, McGowan, Mead, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Wilson.

Quorum present.
Senator De Long was excused on motion of Senator Sprague.
The Sergeant-at-Arms was directed to close the doors and bring the Senators absent without leave into the Senate.
The Sergeant-at-Arms brought Senators Shippee, Geo. H. Williams, Britt, Bailey, and Mahoney before the bar of the Senate, who, after giving reasons for their absence, were excused in turn.
Senator Goucher moved that further proceedings under the call of the Senate be dispensed with.
So ordered.

MOTIONS.

Senator McGowan moved that Assembly Bill No. 121 be made a special order for to-morrow, at eleven o'clock and thirty minutes A. M.
So ordered.
Senator Goucher moved that the memorial presented by the Chamber of Commerce, and printed in the Journal of yesterday, be stricken out, and the following substituted therefor:

A memorial petition from the Chamber of Commerce of the city of San José, praying for relief from high insurance rates, and protesting against the so called insurance compact.

So ordered.

APPROVAL OF JOURNAL.

Corrected Journal of February 11, 1891, approved.
Senator Dray moved that substitute for Senate Bill No. 162 be printed.
So ordered.
Senator Ostrom presented the following petition, with the request that it be printed in the Journal.
So ordered.

PETITION OF THE FARMERS' ALLIANCE AND INDUSTRIAL UNION OF THE STATE OF CALIFORNIA.

To the honorable Senate and Assembly of the State of California:

We respectfully petition your honorable body to memorialize the Congress of the United States not to pass the bill now before the Senate, extending the time for the payment of the Pacific Railroad's debts to fifty years, at a rate of interest at two per cent, or any similar bill. We ask this for the reason that we believe there has been a determined, persistent, and successful effort to defraud the Government out of the money advanced to these corporations, and it is not now, nor never was, their intention to pay that debt or any of the interest. They have controlled their management in the interest of their own private fortunes, until the four principal owners, Stanford, Huntington, Hopkins, and Crocker, are estimated to be worth $300,000,000, and they refuse to pay any interest to the Government, while they charge the producers all the traffic would bear, and as evidence of the truth of this statement, we offer the following facts, taken from public documents, private letters, and the sworn testimony before the Government Commission sent out here to investigate the Central Pacific road, of which Mr. Pattison was Chairman.

When the Central Pacific was organized it had nine Directors, with a capital stock of $8,500,000. Stanford, Huntington, Hopkins, and Crocker were four of the Directors; but they soon discovered that four was not a majority of nine, and they reduced the number of Directors to seven, and formed a company called C. Crocker & Co., consisting of the four above named, and proceeded to let contracts to themselves and divide the profits, they holding only 150 shares each of the capital stock. C. Crocker & Co. took contracts to build the road in sections, under the direction of Judah, the Chief Engineer, and all went along smoothly for awhile, but when Judah commenced to cut down the bills of C. Crocker & Co. something had to be done, or, in railroad parlance, "he had to be fixed." To make things right Crocker presented Judah with $50,000 in bonds. In October, 1864, the capital stock was increased to $20,000,000, and again in July, 1868, it was increased to $100,000,000. This stock was at all times controlled by, and nearly all owned by, Stanford, Huntington, Hopkins, and Crocker, who paid for their stock from profits on their contracts, they never having risked a dollar of their private fortune. The operation of the road has paid from its very inception, as they charged very high rates for both freight and passage. The following is the earnings from 1863 to 1870:

Gross earnings	$10,807,508 76
Other credits	374,045 63
Total earnings	$11,181,554 39
Operating expenses	4,700,624 56
Net earnings	$6,480,929 83
From 1870 to 1874:	
Gross earnings	$41,128,618 21
Other credits	2,167,318 29
Total earnings	$43,295,936 50
Operating expenses	17,485,371 69
Net earnings	$25,810,564 81
From the first of January, 1874, to the first of January, 1884:	
Gross earnings	$194,126,239 24
Other credits	8,191,532 17
Total earnings	$202,317,771 14
Operating expenses	108,431,207 78
Net earnings	$93,886,503 63
	25,810,564 81
	6,480,929 83
Grand total of net earnings (Central Pacific alone)	$126,177,998 27

Now, how did they dispose of this enormous amount of money? Did they pay interest on the bonds the United States gave them? No; they divided it among themselves; no one else ever received a dollar, except a few dollars paid for taxes after they were forced to pay by the Courts, and they even now owe this State millions for taxes that we cannot collect. After the "big four" increased the capital stock from $8,500,000 to $100,000,000 they offered to exchange the stock, share for share, with a few who held the original stock, which was very properly rejected, at least by some of the original stockholders; others, in order to get dividends, surrendered their stock, and as the matter is more fully set out in the report of the Pattison committee, I will give their report, pages 73 and 74:

(1) In 1870 suits were brought or threatened by Charles A. Lambard, Samuel Brannan, and others, against Huntington, Stanford, Hopkins, and Crocker, as owners of stock of the Central Pacific Railroad Company, alleging that these persons had been guilty of many violations of their duties as Directors, and that they had voted profitable contracts to themselves; that by means of these contracts they had procured possession of substantially all of the assets of the company remaining after the expenditure of the actual cost of construction. The Commission do not mean to intimate that all of the charges contained in these complaints are sustained by the evidence; but it does appear that the four persons named did vote contracts to themselves, under which large profits were made and divided. The allegations contained in these complaints were such as would compel men of honor, if these allegations were false, to defend themselves at any cost. It appears from the evidence that all these suits were settled, and that the stock owned by the plaintiffs was bought at rates varying from $400 a share to $1,000 a share. (See evidence of Stanford, vol. 5, p. 2641; vol. 6, pp. 2775, 2779.)

The evidence on which the successful prosecution of such suits would necessarily depend, was contained in the books of Crocker & Co., and of the Contract and Finance Company, because the actual cost of construction to these companies, compared with the actual payments made by the Central Pacific Railroad Company, would disclose the profits divided between Stanford, Huntington, Hopkins, and Crocker. They, and they alone, were interested in the suppression of this evidence.

When these suits were brought, in order not to have their books appear in evidence against them, the "big four" had them "lost" and cut the pages from 48 to 111, inclusive, out of the book of corporation debts that they were required to keep, under section ten of the Act of Incorporation.

In order to show the actual expense of building the Central Pacific, the Pattison committee examined many witnesses, men who were foremen and worked on its construction, this being the only means left them after the books of Crocker & Co. and the Finance and Contract Company were "*lost*," and I will submit that portion of their report contained on pages 74–5, as follows:

"It is our judgment that the actual cost of construction of the Central Pacific Railroad from Sacramento to Promontory Point, and the purchase from the Union Pacific Railroad Company of forty-seven and one half miles, a total distance of 737.50 miles, *did not exceed the sum of $36,000,000.*

"We base this conclusion on the examination of many witnesses as to the actual cost of railroad building and material during the years of construction, on the evidence taken of the character of the country, on the agreed price paid by the Central Pacific to the Union Pacific for forty-seven and one half miles of the road between Promontory Point and a point five miles west of Ogden; and in reaching this conclusion, we have made, in our judgment, full allowance for all that appears in the evidence relating to the peculiar and difficult character of the work, to the excessive cost of building the road over the Sierra Nevadas, to the impediments offered by snow and stormy weather, to the unusual items of cost arising out of the construction of snowsheds, and to the increased cost resulting from the rapidity with which the work was carried on, and the necessity of expensive and unusual transportation of all material required for the construction of the road.

"As this investigation is not in the nature of an accounting, it seems unnecessary to detail the facts and the figures. *Mr. Stanford's admission is that the $54,000,000 of stock distributed by the Contract and Finance Company was substantially a net profit, subject only to the liquidation of an indebtedness of the Contract and Finance Company not exceeding $3,000,000.* (See evidence Stanford, vol. 5, p. 2669; William E. Brown, vol. 5, p. 2979.) Report Majority Committee, pp. 74–5."

This $54,000,000 was not the only dividend paid to Stanford, Huntington, Hopkins, and Crocker between November, 1869, and June, 1878. There was another dividend made of $37,428,608 93; in fact, they always had a private corporation ready to make dividends when there was a surplus in their hands. And to show how the thing was done, I will again quote from the Pattison committee, pp. 79–80, on the California and Oregon line, under contract to the Pacific Improvement Company, another private side issue of the "big four:"

"The actual cash value then paid to the Pacific Improvement Company for the construction from Delta to the State line, and for the equipment, was:

In stock	$3,840,000
In bonds	4,500,000
Total	$8,340,000

"The books of the Pacific Improvement Company, showing the actual cost of this construction and of the equipment, were examined by Mr. Stevens, and this cost, exclusive of the unfinished work, which Mr. Douty (the Secretary of the Pacific Improvement Company) testified would not exceed the $317,000 of bonds which had been retained, was $3,158,609 32. (See evidence of Stevens, vol. 6, p. 3528.) The accuracy of the conclusions reached by Mr. Stevens was conceded by the counsel for the Central Pacific road. (See Haymond's statement, vol. 6, p. 3534.)

"In the statement of cost of construction contained in the table at page 3531, the retained $317,000 bonds have been added to the above figure, making the total cost of the completed road and equipment, $3,505,609 32. As compensation for this expenditure,

Stanford, Huntington, and Crocker have voted to themselves stock and bonds of the value, as above stated, of $8,340,000. And this extraordinary transaction is being consummated to-day in the face of this investigation, and in violation of every duty which these Directors owe to the stockholders of that company, and to the Government as its chief creditor."

If you ask why such frauds are permitted in the very face of the Government's own committee, I will answer by stating that the Courts have decided that the Central Pacific does not owe the Government anything until the maturity of the debt, which will be now soon due, and to get another lease of fifty years they have now pending in the United States Senate the bill which we ask your honorable body to protest against.

When the Contract and Finance Company was dissolved it owed the Central Pacific Company $5,700,000, so they claimed, and Stanford & Co. gave their note for the amount, which note was never shown to be paid. This was another trick to beat the Central Pacific out of that amount, as is shown by a letter from E. H. Miller to C. P. Huntington, dated January 25, 1887, that the Contract and Finance Company was not bankrupt, but turned over to Stanford, Huntington, Hopkins, and Crocker $2,608,292 29. I hereunto attach the letter of Huntington, requiring the large figures cut down and charged to profit and loss, and Miller fixes it to suit:

NEW YORK, January 10, 1887.

FRIEND MILLER: As you probably know, the account known as S. H. H. & C. shows exceedingly large figures, which we propose now to cut down, since there are no assets to represent any such figures as these, which seem to show large amounts to be distributed. I don't understand this account myself, do not know much about it, in fact, and Mr. Crocker does not know any more. I know it is asking considerable, but I would like to have you look over these accounts, assets, and everything connected therewith, so as to verify them, and then send me a statement. I have great confidence, as you know, in Wm. E. Brown; but all men are liable to mistakes, and I would like to have you take this matter up and attend to it, *as we propose to charge off to profit and loss enough to bring the figures down to the actual assets on hand.* It is possible Willard can help you in this matter, if you call on him to do so. Mr. Brown will of course do all he can.

Yours very truly,

C. P. HUNTINGTON.

SAN FRANCISCO, CAL., January 25, 1887.

C. P. HUNTINGTON, *Esq., Vice-President, New York:*

DEAR SIR: Yours of the tenth instant duly received. I have looked into the matter of the very large balances to the credit of the individual accounts of Leland Stanford, C. P. Huntington, Charles Crocker, and estate of Mark Hopkins, on the books of S. H. H. & C., amounting to over $35,300,000. These large balances arise from the following causes:

As appears by the books, there has been distributed or divided at various times sundry properties, which have been currently charged to "Dividend Account," amounting to $9,250,520 21; and various collections have been credited to same account for dividends and interest received on stocks, etc., amounting to $655,533 53—the *debt balance* being $8,594,986 68. Among the items charged to "Dividend Account" the larger ones are: In June 1877, 'S. P. bonds, divided,' $2,880,000; in 1878, Oakland Waterfront stock, divided, $474,601 39; Central Pacific Railroad Company stock (E. B. C.), $5,192,550.

Since 1875 interest accounts have been made up yearly in favor of, and amounts credited to, the personal accounts of Leland Stanford, C. P. Huntington, Charles Crocker, Mark Hopkins, and estate of Mark Hopkins, and charged to "Interest Account," amounting in the aggregate, in round numbers, to $20,000,000. This was all right and proper, because the amount of capital contributed by each was unequal; and by making up interest on the full amount of credit balance of each from time to time, each got in effect a credit to which he was entitled for interest on the excess he had in the company. This matter of equalizing the interest, however, led to the very large amount of debit which now appears in "Interest Account." This debit represents no assets, it being really a *Company* loss, and might have been legitimately charged to "Profit and Loss."

Besides these large items of interest credited to the individuals, S. H. H. & C., above, there were large items of interest, both received and paid, leaving the balance of debit in "interest account"	$20,826,789 49
There also appears on the books a debit balance to profit and loss account of	1,187,215 33
The main item to *credit* of this account is balance transferred from Contract and Finance Company	2,608,292 29
A few of the larger items to *debit* of same account are:	
Transfer Market Street R. R.	212,893 01
Ione property stock issued and divided	229,065 60
Rolling stock furnished S. P. R. R. for account of C. & F. Co.	236,681 92
Estate of E. B. Crocker, amount of note given to E. B. Crocker, March 24, 1871, by Stanford, Huntington, and Hopkins	1,298,140 00
Amount due on contract of S. P. R. R. Co. for rolling stock not furnished	548,435 29

There are many other entries. The above are stated merely to give you some idea of the account. Now, these items to debit of

Dividend Account, say	$8,594,986 68
Interest Account, say	20,826,789 49
Profit and Loss, say	1,187,215 33
Amounting in aggregate to	$30,608,991 50

Are properly and legitimately chargeable to the individual accounts of the parties S. H. H. & C., in equal amounts, one fourth each. This would reduce the amounts now standing to their credits, as follows:

Present credits, aggregate in round numbers, say	$35,300,000 00
Charges as above	30,600,000 00
Leaves to their credit	$4,700 00

Something like the amount of their actual assets. In the above are stated the amounts as they appear for December 31, 1885. The accounts of S. H. H. & C. are, as you are aware, inactive, and Mr. Brown has not yet posted them up for 1886, but will do so as soon as your statements for December, 1886, are to hand.

The interest accounts for Leland Stanford, C. P. Huntington, etc., for 1886, will, when made up and credited, of course vary the amounts of their accounts; but you will, I think, be able to get from the above sufficient general facts to enable you to understand how it comes that such large amounts appear to credit of L. S., C. P. H., C. C., and estate of M. H., while the assets are so much less. Mr. Hopkins makes a suggestion to Mr. Brown, in which Mr. Brown concurs—and which I think would be well to carry out—that is, that since S. H. H. & C. are now the only parties in interest in the Pacific Improvement Company, that the books of S. H. H. & C. be written up, the accounts of Dividend, Interest, Profit, and Loss, etc., be charged off as suggested, and the books balanced and turned over with the balances and assets to the P. I. Co.; the P. I. Co. to transfer the balances of S. H. H. & C. books to the P. I. Co. books, and thus have only one set of books for the accounts of the parties, S. H. H. & C. Trusting the above will be satisfactory,

I am yours very truly,

E. H. MILLER, JR.

After reading these letters you can have some idea for what purpose these private companies were formed. For Stanford, Huntington & Co. to credit themselves with the enormous profits they received from the Central Pacific would have been to expose the fraud they were perpetrating upon the Government and the people, hence they resort to these private corporations, to distribute to them these millions, and when their books don't show to suit them they charge to profit and loss what they desire, to make them balance. You should remember that the interest paid was substantially to the "big four" and not to the Government or outside stockholders. When the Thurman Act was passed setting aside a certain per cent of the earnings of the road, they tried to beat it in the Courts, and when they failed to accomplish their purpose, they deliberately set to work to reach that end through fraud and trickery. To this end they incorporated the Southern Pacific Railroad of Kentucky. They thought by incorporating under the laws of Kentucky, they would prevent the Government from inquiring into the management of the Central Pacific and other roads, by leasing them to their private company, and, to fully carry out this scheme, they appointed two dummies President and Secretary of the Southern Pacific (W. E. Brown, President, and Stanford's Private Secretary, H. C. Nash, Secretary), who entered into a lease of the road for ninety-nine years, with Stanford and E. H. Miller, the President and Secretary of the Central Pacific Company. After having accomplished their purpose, the two dummies resigned, and Stanford and E. H. Miller were elected to fill their places; then the wrecking of the Central Pacific commenced. They claimed the Central Pacific had a floating debt of $12,873,945 61, which they assumed, and the remarking of rolling stock, and the sale of supplies and materials on hand to the Southern Pacific, and the issue of additional bonds was carried out. But this whole transaction was such a palpable fraud that the United States Government commenced suit to set aside these leases, and that suit is now pending in the Courts; and to show you the truth of this statement I make the following extract from the annual report of President Stanford for 1887. He says:

On January 1, 1885, just prior to the lease to the Southern Pacific Company, there was a net floating debt of $12,873,945 61. This has been reduced each year, till, on December 31, 1887, the floating debt was wiped out and there remained a surplus of $1,970,194 65. The result has been chiefly accomplished by the sale of supplies and materials on hand to the Southern Pacific Company at the commencement of the lease, by the non-payment of dividends for the period, and by the issue of bonds.

By this bold and fraudulent act the Thurman bill was defeated, and this private company forms a monopoly in this State that charges "all the traffic will bear," and the farmers pay millions every year as tribute to their greed. All the railroads in California are now under their control, and they have built a wall on our eastern border that keeps out all competition. They have a series of private companies owned and controlled by themselves, to distribute the profits to themselves, and when there is a surplus of earnings from the roads, they appoint a committee of their own number to invest it, and they

always loan it to one of their private companies, which in turn distributes it to the "big four." The names of these private companies are now, and have been: C. Crocker & Co., Contract and Finance Co., Western Development Co., Southern Development Co., Pacific Improvement Co., and S. H. H. & C. Co., all of which have been owned by the "big four." To show you that all these facts are well known to the people in this State, and condemned by the leading papers, I will quote from a "Chronicle" editorial of recent date, in which he says:

"The past history of the Central Pacific Railroad demonstrates that it has been a money-making road, and there is no reason why it should be less profitable now, when the State has increased in wealth and population, than it was eight or ten years ago. As everybody knows, the Southern Pacific was built out of the profits of the Central Pacific; the quadrilateral accumulated immense private fortunes; a number of auxiliary companies—both railroad and construction companies—were enriched; and enormous sums of money were spent in ways which will not bear the light of investigation; and all this was done out of the earnings of the Central Pacific. Is it not obvious, then, that if the Central Pacific were given an even chance; if traffic were not studiously diverted from it; if its rolling stock and equipments were kept up properly; and if there were not a determined and persistent effort to wreck it, it would be a paying property, and that, too, without any increase in rates?

"The Central Pacific owns stations and tracks, and that intangible property known as franchises, which are used by the Southern Pacific and which are indispensable to the latter, and yet the assertion is made that the Central Pacific is practically insolvent.

"But there is a way to test this question, and to find out the exact financial condition of this railroad. Commissioner Pattison declared, after a careful examination, that had the road been built and managed upon honest methods, and had the Government loan been properly applied, the road could have declared dividends at the rate of six per cent per annum for eighteen years, could have repaid the Government loan, and could have reduced their charges to the extent of $54,000,000."

Your honorable body should remember that your petitioners are not lawyers, skilled in all the tricks of the law, but farmers, who have little time to investigate these gigantic frauds that have been perpetrated upon the Government and people, and we trust you will receive this petition as an honest effort to lay before you some of the important facts which should control your action in this matter. We are honest enough to declare that our ultimate purpose in defeating any bill to extend the time for the payment of the debt to the Government is the seizure of these roads by the United States for that debt and open up a Government railroad from the Missouri River to the Pacific Ocean, run by the Government in the interest of the people for cost. By this means we will break down the wall on our eastern border, and instead of running two or three trains daily, there would be at least fifteen. The track could be doubled from Oakland to Colfax, and from Truckee to Omaha, and this great State would leap forward in progress, wealth, and population as no other country ever did before. This course would also break the backbone of the Gould combine and forever prevent a similar effort to extort millions of the hard earnings from the farmers and producers of this great State. We therefore most respectfully and earnestly appeal to your honorable body to take such measures as you may deem most likely to accomplish the defeat of any bill by Congress to extend the time for the payment of the debt due the Government from the Union and Central Pacific Railroads, and we will ever pray.

MARION CANNON,
President State Alliance, Ventura.
DE WITT C. VESTAL,
President Santa Clara County, San José.
Membership five hundred.
GEO. W. KRAFT,
President Alameda County, Irvington P. O.
Membership one hundred.

Senator Ostrom moved that a committee of three be appointed by the Chair to prepare a set of resolutions to forward to members of Congress, in accordance with the petition.

So ordered.

The Chair appointed Senators Ostrom, Dray, and De Long.

Senator McGowan moved that the report of the Committee on Rules, set for consideration at this hour, be made a special order for to-morrow, at eleven o'clock and forty-five minutes A. M.

So ordered.

SPECIAL FILE.

Assembly Joint Resolution No. 7 was then considered.

ASSEMBLY JOINT RESOLUTION No. 7.

Joint resolution relating to irrigation and construction of reservoirs by the United States Government.

WHEREAS, Large sums of money have been, and are, from time to time, being appropriated by the National Government for the purpose of survey and location of reservoirs in various parts of the United States; and whereas, the State of California has received but little benefit from such appropriations, the great bulk of the amounts heretofore appropriated for such purposes having been spent in other localities; and whereas, in a large portion of the State of California, water for irrigating purposes is an absolute necessity to render productive lands which are fertile but arid; and whereas, in the Sierra Nevada and Coast Range Mountains there exist numerous sites of great natural excellence, large capacity, and inexhaustible source of supply, which can, at relatively small cost, be utilized for the impounding of vast bodies of water during the early summer from the melting snows, and thus husbanded for use on the arid plains during the rainless season which follows, thereby creating abundance and certainty of production where now scarcity and uncertainty largely prevail, and thus adding millions of wealth and thousands of population to the State and nation; therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators and Representatives in Congress be instructed to present to Congress the request of this legislative body for an appropriation of two millions of dollars, to be used in the location and construction of such reservoirs, and further instructed to endeavor to induce early and favorable action hereon by Congress; and be it

Resolved, That his Excellency the Governor be requested to immediately forward to each of our Senators and Representatives in Congress a copy of this resolution.

Resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Harp, Langford, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Wilson—28.

NOES—None.

Senate Bill No. 128 passed on file temporarily.

Senator Mead asked unanimous consent to withdraw Senate Constitutional Amendment No. 11.

Senator McGowan objected.

Senator Goucher moved that Senate Constitutional Amendment No. 3 be passed, and retain its place on file.

So ordered.

Senator Dray moved that Senate Constitutional Amendment No. 7 be passed, and retain its place on file.

So ordered.

Senator Voorhies moved that Senate Constitutional Amendment No. 5 be passed, and retain its place on file.

So ordered.

Senator Sprague in the chair.

CALL OF THE SENATE.

Senator Goucher moved a call of the Senate.

So ordered.

LEAVE OF ABSENCE.

Senator Ostrom was granted a leave of absence for the balance of the day.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Wilson.

On motion of Senator W. H. Williams, further proceedings under the call of the Senate were dispensed with.

The roll was called and

SENATE CONSTITUTIONAL AMENDMENT No. 11.

A resolution to propose an amendment to sections fifteen (15) and nineteen (19), article five (5), of the Constitution.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its twenty-ninth session, commencing January fifth, eighteen hundred and ninety-one, two thirds of all the members elected to each of the two Houses of said Legislature voting in favor thereof, hereby propose that sections fifteen (15) and nineteen (19), article five (5), of the Constitution of the State of California, be amended so as to read as follows:

Section 15. A Lieutenant-Governor shall be elected at the same time and place, and in the same manner as the Governor, and his term of office and his qualifications of eligibility shall also be the same. He shall be President of the Senate, but shall have only a casting vote therein. He shall be a member of the Board of Examiners. He shall also, when the Senate is not in session, visit all the State institutions, prisons, reformatory schools, asylums, and other institutions supported in whole or in part by the State, and make careful examinations of the manner in which the appropriations for the support of such institutions, and for permanent improvements, have been expended, and report the result of his examinations to the Governor, to the Legislature, and to any other officer, or Board of officers, that the Legislature may direct; *provided*, that in case of the office of the Lieutenant-Governor becoming vacant, or in the case of the functions of Governor devolving upon him, the President pro tem. of the Senate, or his successor, shall perform the duties and receive the emoluments of said Lieutenant-Governor, during the term of such vacancy, or the time he is performing such functions of Governor. The Legislature may by law prescribe the time and manner that such examination shall be made. If, during a vacancy of the office of Governor, the Lieutenant-Governor shall be impeached, displaced, resign, die, or become incapable of performing the duties of his office, or be absent from the State, the President pro tem. of the Senate shall act as Governor until the vacancy be filled, or disability shall cease. The Lieutenant-Governor shall be disqualified from holding any other office, except as specially provided in this Constitution, during the term for which he shall have been elected.

Section 19. Governor, Lieutenant-Governor, Secretary of State, Controller, Treasurer, Attorney-General, Surveyor-General, shall, at stated times during the continuance in office, receive for their services a compensation, which compensation is hereby fixed for the following officers for the two terms next ensuing the adoption of this Constitution, as follows: Governor, six thousand ($6,000) dollars per annum; the Attorney-General, three thousand ($3,000) dollars per annum; the Secretary of State, Controller, Treasurer, three thousand ($3,000) dollars each per annum; Surveyor-General, three thousand ($3,000) dollars per annum; and for the following officer for the fractional term and for the two terms next ensuing the fourth day of November, A. D. eighteen hundred and ninety-two, as follows: Lieutenant-Governor, four thousand ($4,000) dollars per annum, and traveling expenses when he may be employed in visiting and examining State institutions. Such compensation to be in full for all services by them, respectively, rendered, in any official capacity or employment whatsoever, during their respective terms of office; *provided, however*, that the Legislature, after the expiration of their terms hereinbefore mentioned, may, by law, diminish the compensation of any or all such officers, but in no case shall have the power to increase the sums above the sums hereby fixed by this Constitution. The Legislature may, in its discretion, abolish the office of Surveyor-General, and none of the officers hereinbefore named shall receive for their own use any fees or perquisites for the performance of any official duty.

Was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Wilson—28.

NOES—Mr. Berry—1.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

President pro tem. Fraser in the chair.

ON APPORTIONMENT AND REPRESENTATION.

SENATE CHAMBER, SACRAMENTO, February 12, 1891.

MR. PRESIDENT: Your Committee on Apportionment and Representation, to whom was referred Senate Bill No. 388 and the Substitute for 388—An Act to divide the State

into Congressional districts—have had the same under consideration, and respectfully report the same back, and recommend that the substitute do pass, as amended.

Also: Senate Bill No. 408—An Act to divide the State into legislative districts, as required by section six, article four of the Constitution, and to provide for the election of Assemblymen and Senators in such districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as filled in and amended.

McCOMAS, Chairman.

Senator McComas moved that the substitute for Senate Bill No. 388 be printed.

So ordered.

On motion of Senator Voorhies, the Senate took up the third reading file.

THIRD READING OF BILLS.

Senate Bill No. 278—An Act to prohibit the sale of intoxicating liquors within one mile of any reform school where juveniles are confined or kept.

Senator Voorhies moved to commit to a committee of one, to consist of Senator Goucher, with instructions to amend by striking out of line six the word "and," and insert "or within." Also: Strike out of the same line "and adjacent," and after "school" insert "State School of Industry."

So ordered.

REPORT OF COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 12, 1891.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 278, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

GOUCHER, Committee.

Report adopted.

Bill ordered to engrossment and to printer.

On motion of Senator Banks, Senate Bill No. 214 was passed on file.

Senate Bill No. 241—An Act to appropriate money for the erection of a State Hospital for Lepers.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Fraser, Maher, McComas, Preston, Ragsdale, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), and Wilson—21.

NOES—Messrs. Berry, Campbell of Solano, Goucher, Harp, McGowan, Mead, Ostrom, and Voorhies—8.

Title read and approved.

Senate Bill No. 136—An Act to amend section seven hundred and ninety-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Harp, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Wilson—29.

NOES—None.

Title read and approved.

Senate Bill No. 238—An Act to amend sections seven hundred and

ninety-nine and eight hundred of the Penal Code, relating to the limitation of time within which prosecution for murder, the embezzlement of public moneys, and the falsification of public records must be commenced.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Harp, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Wilson—28.
NOES—None.

Title read and approved.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Senator Preston: Senate Bill No. 622—An Act to amend an Act entitled "An Act to regulate and govern the State Prisons of California," approved March 19, 1889.

Referred to Committee on State Prisons and Prison Buildings.

ADJOURNMENT.

At five o'clock and five minutes P. M. the Senate, on motion of Senator Mead, stood adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, February 13, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by Rabbi M. S. Levy.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Ragsdale moved that further reading of the Journal be dispensed with.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 12, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 584—An Act to amend section one thousand two hundred and forty-three of the Penal Code of the State of California, relative to the stay of the execution of the judgment in criminal cases, pending an appeal to the Supreme Court.

Also: Senate Bill No. 585—An Act to amend section two thousand six hundred and seven of an Act entitled "An Act to add thirty-four sections to An Act of the Legislature of the State of California to establish a Political Code," approved March 12, 1872, said sections to be known, numbered, and designated as sections two thousand five hundred and seventy-five, two thousand five hundred and seventy-six, two thousand five hundred and seventy-seven, two thousand five hundred and seventy-eight, two thousand five hundred and seventy-nine, two thousand five hundred and eighty, two thousand five hundred and eighty-one, two thousand five hundred and eighty-two, two thousand five hundred and eighty-three, two thousand five hundred and eighty-four, two thousand five hundred and eighty-five, two thousand five hundred and eighty-six, two thousand five hundred and eighty-seven, two thousand five hundred and eighty-eight, two thousand five hundred and eighty-nine, two thousand five hundred and ninety, two thousand five hundred and ninety-one, two thousand five hundred and ninety-two, two thousand five hundred and ninety-three, two thousand five hundred and ninety-four, two thousand five hundred and ninety-five, two thousand five hundred and ninety-six, two thousand five hundred and ninety-seven, two thousand five hundred and ninety-eight, two thousand five hundred and ninety-nine, two thousand six hundred, two thousand six hundred and one, two thousand six hundred and two, two thousand six hundred and three, two thousand six hundred and four, two thousand six hundred and five, two thousand six hundred and six, two thousand six hundred and seven, and two thousand six hundred and eight, all relating to the establishing of a Board of State Harbor Commissioners for the bay of San Diego," approved March 18, 1889, relative to the salaries and pay of the officers and employés of the Harbor Commissioners of the bay of San Diego.

Also: Senate Bill No. 597—An Act authorizing persons having claims against the State, or against counties, to prosecute and establish them in the Courts, and providing for the payment of judgments.

Also: Senate Bill No. 570—An Act to authorize Robert C. Ball to sue the State of California.

Also: Senate Bill No. 502—An Act to create the office of Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco.

Also: Senate Bill No. 144—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Also: Senate Bill No. 411—An Act to amend section eight hundred and sixty-five of the Code of Civil Procedure, relating to arrests in civil actions.

Also: Senate Bill No. 426—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known and numbered as section nine hundred and ninety-one, relating to the compensation of attorneys, and providing when the same shall be a claim against the county.

Also: Senate Bill No. 467—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

Also: Senate Bill No. 566—An Act to amend sections one thousand three hundred and fifty-two, one thousand three hundred and seventy, and one thousand seven hundred and fifty-one of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the disabilities of married women to act as executors, administrators, or guardians.

Also: Senate Bill No. 568—An Act to establish Boards of Commissioners for the parole of and government of paroled prisoners.

Also: Senate Bill No. 590—An Act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages.

Also: Senate Bill No. 583—An Act to amend section two of an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885.

Also: Assembly Bill No. 53—An Act to amend section two thousand and twenty-four of the Code of Civil Procedure, relative to the manner of taking depositions out of the State.

Also: Assembly Bill No. 54—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure, relating to the service of summons in actions in Justice's Courts.

Also: Assembly Bill No. 56—An Act to amend section one hundred and twenty-eight of the Civil Code of the State of California, relative to actions in divorce cases.

Also: Assembly Bill No. 58—An Act to amend section one thousand two hundred and five of the Penal Code, relating to fines and imprisonment.

Also: Assembly Bill No. 66—An Act authorizing incorporated cities to acquire, by gift, purchase, or condemnation proceedings, water, water rights, reservoir sites, rights of way, and other appliances for supplying such cities and their inhabitants with water.

Also: Assembly Bill No. 101—An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale.

Respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 445—An Act to amend section forty-eight of the Insolvent Act of 1880.

Also: Assembly Bill No. 36—An Act to add an additional section to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorney.

Also: Assembly Bill No. 129—An Act to add an additional section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain a divorce, or to aid therein.

Respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 592—An Act to amend section thirteen of an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Also: Senate Bill No. 446—An Act to amend section forty-nine of the Insolvent Act of 1880.

Also: Senate Bill No. 447—An Act to amend section fifty-five of the Insolvent Act of 1880.

Also: Senate Bill No. 449—An Act to add a new section to the Civil Code of the State of California, said section to be numbered one thousand six hundred and seventy-seven.

Also: Assembly Bill No. 20—An Act to amend section four hundred and eight of the Code of Civil Procedure.

Also: Assembly Bill No. 214—An Act to amend section eight hundred and seventy-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 215—An Act to amend section seven hundred and seventy-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Respectfully report the same back, without recommendation.

Also: Senate Bill No. 588—An Act entitled an Act to amend sections two hundred and sixty-nine, two hundred and seventy, two hundred and seventy-one, two hundred and seventy-two, two hundred and seventy-three, and two hundred and seventy-four of chapter three of title five of the Code of Civil Procedure.

Also: Senate Bill No. 273—An Act to amend sections three hundred and thirty-seven and three hundred and thirty-nine of the Code of Civil Procedure, relating to time of commencing actions.

Also: Senate Bill No. 297—An Act to amend section seven hundred and ninety-one of the Political Code, relating to the appointment and number of Notaries Public.

Also: Senate Bill No. 328—An Act to amend section twenty-five of the Civil Code, relating to the age of minors.

Also: Senate Bill No. 433—An Act to add two new sections to the Penal Code, to be numbered sections one thousand three hundred and twenty-nine and one half and one thousand three hundred and twenty-nine and three fourths, relative to paying witnesses in criminal cases.

Also: Senate Bill No. 555—An Act to add a new section to the Political Code, numbered eight hundred and two, providing for recording the commission of a Notary Public.

Also: Senate Bill No. 563—An Act to amend sections one thousand five hundred and seventy-seven, one thousand five hundred and seventy-eight, and one thousand five hundred and seventy-nine of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Also: Senate Bill No. 572—An Act to amend section two thousand three hundred and fourteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Librarian of the Supreme Court Library.

Also: Assembly Bill No. 34—An Act concerning the costs in civil actions for serving summonses and subpœnas.

Respectfully report the same back, and recommend that they do not pass.

SPRAGUE, Chairman.

On motion of Senator Heacock, Senate Bill No. 585 was ordered placed on special file after number nine.

PRESENTATION OF NOTICE.

Senator Goucher was granted unanimous consent to present the following notice:

Notice is hereby given that at the session of the Senate one day hereafter, the undersigned will move the adoption of the following amendment to Rule 1 of the Standing Rules of the Senate, to wit:

Proposed amendment to Rule 1 of Standing Rules of the Senate. Amend said Rule 1 by adding thereto the following:

On and after Tuesday, February 17, 1891, there shall be held, daily, an evening session of the Senate, beginning at seven o'clock and thirty minutes P. M.

Referred to Committee on Rules.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 13, 1891.

To the honorable Senate of the State of California:

The office of Notary Public in this State was undoubtedly created for the accommodation of the people, and was not intended to benefit a few persons to the detriment of the many. In 1889 the Legislature enacted a law limiting the number of Notaries that could be commissioned in the counties of Los Angeles, Solano, and San Francisco. No special benefit has resulted to the general public from the provisions of this law. Parties having business to transact, which requires the services of a Notary, in these counties, are caused, in many instances, great inconvenience and delay. If the chief characteristics required of applicants for these positions are good character and ability, there is no sound argument in favor of the present limitation in those counties, and I believe it to be the universal desire on the part of attorneys, bankers, real estate men, brokers, and their customers and clients, that the limitation now in existence should be removed.

I therefore recommend that the law be amended, and that the limit as to the number of Notaries who may be commissioned in the counties of Solano, Los Angeles, and San Francisco, be removed.

H. H. MARKHAM, Governor.

Referred to Committee on Judiciary.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 46—An Act to amend section seven hundred and ninety-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 79—An Act to amend section three thousand six hundred and fifty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of Assessors.

Also: Assembly Bill No. 90—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and forty-nine, relating to the quieting of title to real property.

Also: Assembly Bill No. 92—An Act to amend section five hundred and sixty-five of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a receiver upon dissolution of a corporation.

Also: Concurred in Senate amendments to Assembly Bill No. 211—An Act to increase the police force of the various cities, and cities and counties, and towns, of the State, and to provide for the appointment of such extra police officers, and for the payment of their salaries.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 116—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity.

Also: Assembly Bill No. 114—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town.

Also: Assembly Bill No. 142—An Act to amend section four hundred and ninety-nine of the Civil Code of California, relative to the authority to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway, operated under different management, to use parts of the same streets and tracks.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Assembly Bills No. 116, 114, 142, and 46 referred to Committee on City, City and County, and Town Governments.

Assembly Bill No. 79 referred to Committee on Counties, County Governments, and Township Organization.

Assembly Bills Nos. 90 and 92 referred to Committee on Judiciary.

SPECIAL ORDER.

The hour for the reconsideration of the vote by which Assembly Bill No. 121 was finally passed having arrived, the President ordered that the matter be taken up.

Senator Campbell of Siskiyou moved that the reconsideration of this bill be indefinitely postponed.

The ayes and noes were demanded by Senators McGowan, Ostrom, and Geo. H. Williams.

The roll was called, and the motion to indefinitely postpone was carried by the following vote:

AYES—Messrs. Bailey, Banks, Campbell of Solano, Campbell of Siskiyou, Dargie, Denison, Everett, Fraser, Goucher, Harp, Heacock, McComas, Mead, Ragsdale, Shippee, Simpson, Streeter, and Voorhies—18.

NOES—Messrs. Berry, Britt, Crandall, Mahoney, McGowan, Ostrom, Williams (Wm. H.), Williams (Geo. H.), and Wilson—9.

Senator Dray was paired with Senator Flint.

Senator Dray would have voted "no," and Senator Flint "aye."

SPECIAL FILE.

Senate Bill No. 128 passed on file.

Senate Constitutional Amendment No. 3 passed on file.

Senate Constitutional Amendment No. 7 passed on file.

Senate Constitutional Amendment No. 5 passed on file.

Senate Constitutional Amendment No. 14 passed on file.

Senate Constitutional Amendment No. 17 passed on file.

Senate Constitutional Amendment No. 8 passed on file.

Senate Bill No. 274 passed on file.

Substitute for Senate Bill No. 331—An Act making an appropriation to pay the deficiency in the appropriation for the salaries of the members and officers of the Board of State Harbor Commissioners for the Bay of San Diego, for the fortieth, forty-first, and forty-second fiscal years.

Senator Heacock moved that Senator Crandall be appointed a committee of one to make the following amendments:

Strike out of lines four and five, section one, the following: "for the fortieth, forty-first, and forty-second fiscal years," and insert: "from the eighteenth day of March, eighteen

hundred and eighty-nine, to the eighteenth day of March, eighteen hundred and ninety-one."

Strike out of section one, line one: "eighteen thousand three hundred and forty-five," and insert: "sixteen thousand and eighty-five."

Strike out of line two, section two: "eighteen thousand three hundred and forty-five," and insert: "sixteen thousand and eighty-five."

Amend title by striking out the words: "for the fortieth, forty-first, and forty-second fiscal years," and insert the words: "from the eighteenth day of March, eighteen hundred and eighty-nine, to the eighteenth day of March, eighteen hundred and ninety-one."

So ordered.

REPORT OF SPECIAL COMMITTTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 13, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred substitute for Senate Bill No. 331, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

CRANDALL, Committee.

Report of committee of one adopted.

FIRST READING OF BILL.

Senate Bill No. 585—An Act to amend section two thousand six hundred and seven of an Act entitled "An Act to add thirty-four sections to 'An Act of the Legislature of the State of California to establish a Political Code,' approved March 12, 1872, said sections to be numbered and designated as sections two thousand five hundred and seventy-five, two thousand five hundred and seventy-six, two thousand five hundred and seventy-seven, two thousand five hundred and seventy-eight, two thousand five hundred and seventy-nine, two thousand five hundred and eighty, two thousand five hundred and eighty-one, two thousand five hundred and eighty-two, two thousand five hundred and eighty-three, two thousand five hundred and eighty-four, two thousand five hundred and eighty-five, two thousand five hundred and eighty-six, two thousand five hundred and eighty-seven, two thousand five hundred and eighty-eight, two thousand five hundred and eighty-nine, two thousand five hundred and ninety, two thousand five hundred and ninety-one, two thousand five hundred and ninety-two, two thousand five hundred and ninety-three, two thousand five hundred and ninety-four, two thousand five hundred and ninety-five, two thousand five hundred and ninety-six, two thousand five hundred and ninety-seven, two thousand five hundred and ninety-eight, two thousand five hundred and ninety-nine, two thousand six hundred, two thousand six hundred and one, two thousand six hundred and two, two thousand six hundred and three, two thousand six hundred and four, two thousand six hundred and five, two thousand six hundred and six, two thousand six hundred and seven, and two thousand six hundred and eight, all relating to the establishing of a Board of State Harbor Commissioners for the bay of San Diego," approved March 18, 1889, relative to the salaries and pay of the officers and employés of the Harbor Commissioners of the bay of San Diego.

Bill read first time, and ordered placed at the head of special file.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Goucher: Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to section seven of article nine of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments and Banks and Banking.

By Senator McComas: Senate Bill No. 623—An Act to validate proceedings for the reorganization of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and also since the passage of the Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883.

Referred to Committee on City, City and County, and Town Governments.

By Senator Wilson: Senate Bill No. 624—An Act appropriating money for the erection of and maintenance and support of the Sacramento Foundling Home.

Referred to Committee on Education and Public Morals.

By Senator Bailey: Senate Bill No. 625—An Act to authorize the State Board of Education to adopt a uniform series of text-books for use in the common schools throughout the State.

Referred to Committee on Education and Public Morals.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 13, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 615—An Act authorizing the Governor of the State of California to offer a reward for the arrest and conviction of the party or parties who murdered Mrs. John Greenwood, in Napa County, on the evening of February 9, 1891, and making an appropriation to pay the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SPRAGUE, Chairman.

CASE OF URGENCY.

By Mr. Sprague:

Resolved, That Senate Bill No. 615 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Roll was called, and resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Simpson, Streeter, Welch, Williams (Wm. H.), and Wilson—28.

NOES—Mr. Ostrom—1.

Senate Bill No. 615—An Act authorizing the Governor of the State of California to offer a reward for the arrest and conviction of the party or parties who murdered Mrs. John Greenwood, in Napa County, on the evening of February 9, 1891, and making an appropriation to pay the same.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—31.
NOES—None.

Title read and approved.

RECESS.

At twelve o'clock the Senate took a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.
Hon. J. B. Reddick, President of the Senate, in the chair.
Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON COUNTIES, COUNTY GOVERNMENTS, AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 13, 1891.

MR. PRESIDENT: Your Committee on Counties, County Governments, and Township Organization, to whom was referred Senate Bill No. 31—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.
Also: Senate Bill No. 477—have had the same under consideration, and respectfully report the same back without recommendation.
Also: Senate Bill No. 522—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. J. CAMPBELL, Chairman.

LEAVE OF ABSENCE.

Senator Voorhies asked that Senator Campbell of Solano be excused for the balance of the day.
Granted.

SPECIAL ORDER.

This being the hour for the consideration of the report of Committee on Rules, the report was taken up.

REPORT OF COMMITTEE ON LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: Your Committee on Library and Rules, to whom was referred the following resolution:
Resolved, That Rule 8 be amended by inserting in line two of said rule, after the word "place," the following: "apportionment bills and."
Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

McGOWAN, Chairman.

Senator Goucher submitted the following amendment to the report:

In Rule 8, after the word "revenue," in line three, add the following words: "bills relating to agricultural districts."

Adopted.

The report of the committee as amended was then adopted.

SPECIAL FILE.

Senate Constitutional Amendment No. 18—A resolution to propose an amendment to, and providing for the repeal of sections nine and ten of article thirteen of the Constitution, relative to a Board of Railroad Commissioners.

The roll was called, and Senate Constitutional Amendment No. 18 lost by the following vote:

AYES—Mr. Mead—1.

NOES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Siskiyou, Crandall, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McComas, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—27.

MOTION.

Senator Banks moved that report of Committee on Attachés and Contingent Expenses on resolutions providing for the payment of the expenses incurred in the matter of the election contest between P. J. Murphy and J. H. Mahoney, set for special order at two o'clock P. M. to-day, be reset for three o'clock and thirty minutes P. M.

So ordered.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bills Nos. 278 and 214 passed on file.

Senate Bill No. 81—An Act to provide for a State Board of Arbitration for the settlement of differences between employers and employés.

Senator Crandall moved to recommit Senate Bill No. 81 to a committee of one, consisting of Senator Maher, with instructions to add at the end of section six, after the word "treasury," "but the expenses and salaries hereby authorized shall not exceed the sum of two thousand five hundred dollars for the two years."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 13, 1891.

MR. PRESIDENT: Your committee of one, appointed to amend Senate Bill No. 81, has had the same under consideration, and respectfully report the same back, amended as instructed.

MAHER, Committee.

Report of special committee adopted.

Senator Maher submitted the following amendment to the title of the bill:

In line three, after the word "employés," insert the words, "to define the duties of said Board, and to appropriate the sum of two thousand five hundred dollars therefor."

Adopted.

Bill as amended ordered printed and engrossed.

LEAVE OF ABSENCE.

Senator Bailey asked to be excused until four o'clock P. M.
Granted.

THIRD READING OF BILLS—(RESUMED).

Senator Sprague moved that Senate Bill No. 287—An Act to amend section ninety-two of the Civil Code of the State of California, and to add a new section to the Civil Code, to be designated as section one hundred and eight, concerning divorces—be passed, and take its place at the bottom of the third reading file.

So ordered.

Senate Bill No. 74—An Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Brynes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—30.
NOES—None.

Title read and approved.

Senate Bill No. 134—An Act to amend sections one thousand one hundred and eighty-seven and one thousand one hundred and eighty-nine, and to repeal sections one thousand one hundred and eighty-six and one thousand one hundred and ninety-one of the Civil Code of the State of California, relating to the recording and the acknowledgment of transfers.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—29.
NOES—None.

Title read and approved.

Senate Bill No. 281—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations.

Passed on file.

Senate Bill No. 240—An Act to amend sections three thousand and seventy-seven, three thousand and seventy-eight, three thousand and eighty, and three thousand and eighty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the registry of births, deaths, and marriages.

Bill read third time, and refused final passage by the following vote:

AYES—Messrs. Banks, Campbell of Siskiyou, Dargie, Denison, Everett, Fraser, Goucher, Maher, Mead, Preston, Simpson, Williams (Wm. H.), and Williams (Geo. H.)—13.
NOES—Messrs. Berry, Britt, Campbell of Solano, Crandall, Dray, Harp, Heacock, Mahoney, McComas, McGowan, Ostrom, Ragsdale, Shippee, Streeter, Voorhies, and Wilson—16.

Senate Bill No. 176—An Act to ascertain and express the will of the people of the State of California upon the subject of the election of United States Senators.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Dargie, Denison, Dray, Everett, Goucher, Harp, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Geo. H.), and Wilson—27.
NOES—Mr. Fraser—1.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 13, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:
Senate Bill No. 615—An Act authorizing the Governor of the State of California to offer a reward for the arrest and conviction of the party or parties who murdered Mrs. John Greenwood, in Napa County, on the evening of February 9, 1891, and making an appropriation to pay the same.
Also: Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish and game.
Also: Senate Constitutional Amendment No. 11 A resolution to propose an amendment to sections fifteen and nineteen, article five, of the Constitution.
Also: Substitute for Senate Bill No. 331—An Act making an appropriation to pay the deficiency in the appropriation for the salaries of the members and officers of the Board of State Harbor Commissioners for the Bay of San Diego, for the fortieth, forty-first, and forty-second fiscal years.

RAGSDALE, Chairman.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 104—An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes.

President pro tem. Fraser in the chair.

Bill read third time, and refused final passage by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Campbell of Siskiyou, Denison, Everett, McComas, Mead, Preston, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—13.
NOES—Messrs. Berry, Dargie, Dray, Fraser, Goucher, Harp, Maher, Mahoney, Ostrom, Shippee, Simpson, and Wilson—12.

RESOLUTION—(OUT OF ORDER).

By Senator Campbell of Siskiyou:

Resolved, That the Sergeant-at-Arms be and he is hereby granted leave of absence until Monday, February sixteenth, at one o'clock P. M.

Adopted.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 116—An Act to amend section five hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the office of Superintendent of State Printing, and providing for the election of such officer.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Campbell of Siskiyou, Crandall, Dargie, Denison, Everett, Fraser, Goucher, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—25.

NOES—Messrs. Broderick, Dray, Heacock, Shippee, Simpson, and Sprague—6.

Title read and approved.

SPECIAL ORDER.

The hour having arrived for the consideration of the report of the Committee on Attachés, Contingent Expenses, and Mileage, relative to the Murphy vs. Mahoney contested election case, it was ordered taken up.

SENATE CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the sum of five thousand five hundred and twenty-four dollars and forty cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Senate, to J. H. Mahoney, for expenses incurred by him in the contested election case of Murphy vs. Mahoney, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of J. H. Mahoney for said claim.

Have had the same under consideration, and respectfully report the same back, and recommend that the following substitute be adopted:

Resolved, That the sum of three thousand seven hundred and seventy-four dollars and forty cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Senate, to J. H. Mahoney, for expenses incurred in the contested election case of Murphy vs. Mahoney, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of J. H. Mahoney, and the Treasurer is hereby directed to pay the same, as per the accompanying statement:

Senate of the State of California, in the matter of the contested election of P. J. Murphy vs. J. H. Mahoney.

EXPENSES OF RESPONDENT.

Notaries' fees	$4 50
Certified copies	15 00
Type writer copies	41 00
One half reporters' fees and transcribing testimony—three copies for committee	447 40
One half Justices' fees	50 00
Serving subpœnas, mileage of witnesses, and conveyance account	237 50
Services of persons employed watching ballots and securing witnesses	383 00
Attorneys' fees—to Messrs. Dorn & Dorn, Henry I. Kowalsky, and Messrs. Lloyd & Woods	3,750 00
Incidental expenses	94 00
Witness fees—twenty-eight witnesses, three days at two dollars per day	168 00
Witness fees—twelve witnesses, five days at two dollars per day	120 00
Witness fees—fourteen witnesses, six days at two dollars per day	168 00
Witness fees—twenty-three witnesses, one day at two dollars per day	46 00
Total amount	$5,524 40
Less attorneys' fees	1,750 00
Due J. H. Mahoney	$3,774 40

BYRNES, Chairman.

The following minority report was submitted:

MINORITY REPORT OF COMMITTEE ON ATTACHÉS.

We, the minority of the Committee on Attachés, most respectfully dissent from the report of the majority, and recommend that Senator Mahoney's expense account in the late contested election shall be scaled down to the sum of two thousand five hundred dollars.

(Signed): OSTROM.
WILSON.

Senator McGowan moved that the majority report be adopted.

Senator Ostrom moved to amend by adopting the minority report.

The amendment submitted by Senator Ostrom was lost by the following vote:

Ayes—Messrs. Berry, Britt, Harp, Ostrom, and Wilson—5.
Noes—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Denison, Dray, Everett, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—24.

The roll was called on the report of the majority of the committee, which was adopted by the following vote:

Ayes—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Denison, Dray, Everett, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.
Noes—Messrs. Berry, Britt, Harp, Ostrom, and Wilson—5.

REPORT OF COMMITTEE ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE—(CONTINUED).

SENATE CHAMBER, SACRAMENTO, February 10, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the sum of three thousand three hundred and thirty-three dollars and ninety cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Senate to P. J. Murphy, for expenses incurred by him in the contested election case of Murphy vs. Mahoney, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of said P. J. Murphy for the said sum.

Have had the same under consideration, and respectfully report the same back, and recommend that the following substitute be adopted:

Resolved, That the sum of four hundred and forty-seven dollars and fifty cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Senate to Clement Bennett, for one half of the reporters' fees, in the contested election case of Murphy vs. Mahoney; and further, that the sum of fifty dollars be and the same is hereby allowed and paid out of the Contingent Fund of the Senate to Justices Low and Wood, for one half of the Justices' fees in the contested election case of Murphy vs. Mahoney, and the Controller is hereby authorized and directed to draw his warrants in accordance therewith, and the Treasurer is directed to pay the same.

BYRNES, Chairman.

Senator Goucher moved to amend the report as follows:

Resolved, That one thousand four hundred and ninety-seven dollars and fifty cents be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Senate to the contestant, P. J. Murphy, for the following purposes, to wit: Four hundred and forty-seven dollars and fifty cents to pay Clement Bennett for one half of the reporters' fees in said contested election case; fifty dollars to pay Justices Low and Wood for one half of the Justices' fee in said election contest, and the sum of one thousand dollars for attorneys' fees and all other expenses of said contestant; and the Controller is hereby directed to draw his warrant on the Treasurer of State in accordance herewith.

Senator Mead moved a call of the Senate.

So ordered.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Crandall, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Senator Crandall moved that further proceedings under the call of the Senate be dispensed with.

Senators Berry, Ostrom, and Goucher demanded the ayes and noes.

Roll was called, and the motion carried by the following vote:

Ayes—Messrs. Bailey, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Denison, Everett, Fraser, Heacock, Mahoney, McComas, McGowan, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Williams (G. H.)—19.
Noes—Messrs. Banks, Berry, Goucher, Harp, Mead, Ostrom, Welch, Williams (W. H.), and Wilson—9.

Senator Mead moved that the amendment and original report be referred to the Committee on Attachés, Contingent Expenses, and Mileage, and that its consideration be made a special order for Tuesday next, at two o'clock P. M.

Roll called, and motion lost by the following vote:

AYES—Messrs. Berry, Britt, Goucher, Harp, McGowan, Mead, Ostrom, Williams (Wm. H.), and Williams (Geo. H.)—9.

NOES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Denison, Dray, Everett, Fraser, Heacock, Maher, Preston, Ragsdale, Simpson, Streeter, Voorhies, Welch, and Wilson—19.

Ayes and noes were demanded on the adoption of the amendment by Senators Broderick, Maher, and Goucher.

Roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Berry, Britt, Goucher, Maher, Mead, Ostrom, and Williams (Wm. H.)—7.

NOES—Messrs. Bailey, Banks, Broderick, Byrnes, Crandall, Denison, Dray, Everett, Harp, Heacock, McComas, McGowan, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—20.

Senator McComas gave notice that he would move a reconsideration of the vote by which Senate Bill No. 104 was refused final passage.

Senator Ostrom moved that the whole subject-matter under consideration, relative to the Murphy vs. Mahoney contested election case, be made a special order for Wednesday next, at two o'clock P. M.

Ayes and noes were demanded by Senators Berry, Ostrom, and Goucher.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Britt, Goucher, Mead, Ostrom, Welch, and Williams (Wm. H.)—7.

NOES—Messrs. Bailey, Banks, Broderick, Byrnes, Crandall, Denison, Dray, Everett, Fraser, Heacock, Maher, McComas, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—20.

Senator Heacock moved the previous question.

So ordered.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Denison, Dray, Everett, Fraser, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—27.

NOES—Messrs. Berry, Britt, Goucher, and Welch—4.

LEAVE OF ABSENCE.

Senator Simpson moved that the Committee on Hospitals be granted leave of absence until next Wednesday, to permit them to visit certain State institutions.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, February 12, 1891.

MR. PRESIDENT: Your Committee on State Library and Rules, to whom was referred the following resolution:

Resolved, That on and after Tuesday, February 17, 1891, there shall be held, daily, an evening session of the Senate, beginning at seven o'clock and thirty minutes P. M.

Have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

McGOWAN, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Senator Maher: Senate Bill No. 626—An Act making an appropriation for the contingent expenses of the Senate for the twenty-ninth session of the Legislature.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator McComas: Senate Bill No. 627—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State, and to repeal section seven hundred and ninety-three of said Code, relating to the term of office of Notaries Public, approved March 19, 1889.

Referred to Committee on Judiciary.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 117—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service and upon the public works of the State of California of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

Pending the reading of the bill, it was moved by Senator W. H. Williams that the Senate do now adjourn.

Ayes and noes were demanded by Senators Heacock, Williams, and Crandall.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Banks, Byrnes, Campbell of Siskiyou, Crandall, Dray, Everett, Goucher, Heacock, Maher, Mahoney, McComas, Mead, Simpson, and Streeter—14.

NOES—Messrs. Britt, Broderick, Campbell of Solano, McGowan, Ostrom, Voorhies, Williams (Wm. H.), and Wilson—8.

ADJOURNMENT.

Whereupon, the Senate stood adjourned at five o'clock and five minutes P. M.

IN SENATE.

SENATE CHAMBER,
Saturday, February 14, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by Rev. A. C. Herrick.

LEAVE OF ABSENCE.

Senator Everett asked leave of absence for Senator Banks for the balance of to-day.

Granted.

READING OF THE JOURNAL.

During the reading of the Journal, Senator McComas moved that further reading of the Journal be dispensed with.

So ordered.

Senator Bailey moved that Senate Bills Nos. 47, 2, and 16 be made a special order for Tuesday next, immediately after the reading of the Journal.

So ordered.

On motion of Senator Heacock, Journal of the twelfth instant was corrected and approved.

REPORTS OF STANDING COMMITTEES.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 14, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred Senate Bill No. 626—An Act making an appropriation for the contingent expenses of the Senate for the twenty-ninth session of the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BYRNES, Chairman.

ON COUNTIES, COUNTY GOVERNMENTS, AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 14, 1891.

MR. PRESIDENT: Your Committee on Counties, County Governments, and Township Organization, to whom was referred Senate Bill No. 551—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. J. CAMPBELL, Chairman.

CASE OF URGENCY.

By Senator Maher:

Resolved, That Senate Bill No. 626 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times upon one day, and placed upon its passage.

The roll was called, and the resolution carried by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—None.

Senate Bill No. 626—An Act making an appropriation for the contingent expenses of the Senate for the twenty-ninth session of the Legislature.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Crandall, De Long, Denison, Dray, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—25.
NOES—None.

Title read and approved.

Senator Maher moved that the bill be ordered engrossed, and immediately transmitted to the Assembly.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 13, 1891.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 175—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 63—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 393—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 416—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 434—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 532—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 448—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 450—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 524—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 336—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 437—have had the same under consideration, and respectfully report the same back with recommendation that the author, Senator Mahoney, who introduced the bill by request, have leave to withdraw the same.

Also: Senate Bill No. 179—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 161—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 265, and the accompanying petitions, namely: Waterloo Grange No. 295, Stockton Grange No. 70, Santa Rosa Grange ——, Two Rock Grange No. 152, Hollister Grange No. 11—respectfully return said petitions to the Senate.

Also: Senate Bill No. 186—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 525—have had the same under consideration, and respectfully report the same back with amendments, and recommend that said bill as amended do pass.

Also: Senate Bill No. 174—have had the same under consideration, and respectfully report the same back with amendments, and recommend that said bill as amended do pass.

Also: Senate Bill No. 96—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 102—have had the same under consideration, and respectfully report the same back to the Senate without recommendation, according to its instructions.

Also: Senate Bill No. 168—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the bill as amended do pass.

Also: Senate Bill No. 265—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McGOWAN, Chairman pro tem.

Also:

SENATE CHAMBER, SACRAMENTO, February 6, 1891.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 418—have had the same under consideration, and respectfully report the same back with amendments, and recommend that said bill as amended do pass.

Also: Senate Bill No. 93—have had the same under consideration, and respectfully report a substitute for the same.

CARPENTER, Chairman.

Senator Mahoney was granted leave to withdraw Senate Bill No. 437, as per instructions of the committee.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 14, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 278—An Act to prohibit the sale of intoxicating liquors within one mile of any reform school where juveniles are confined or kept.

Also: Substitute for Senate Bill No. 281—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations.

Also: Senate Bill No. 480—An Act to amend section one thousand three hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a married woman as administratrix of an estate of a deceased person.

Also: Senate Bill No. 626—An Act making an appropriation for the contingent expenses of the Senate for the twenty-ninth session of the Legislature.

RAGSDALE, Chairman.

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, February 14, 1891.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Senate Joint Resolution No. 18—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. H. WILLIAMS, Chairman.

ON PUBLIC ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, February 13, 1891.

MR. PRESIDENT: Your Committee on Public Roads and Highways, to whom was referred Senate Bill No. 564—An Act to declare the bridge across Feather River, extending from Fifth Street, at the city of Marysville, in the county of Yuba, to the opposite bank of said river, a free bridge—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 514—An Act to fix the width of public highways, prevent encroachments thereon, and to give to Boards of Supervisors the power to determine their location, extent, width, and grade—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 545—An Act to define the duties of and to license land surveyors—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BAILEY, Chairman.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, February 13, 1891.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Senate Bill No. 616, relating to the organization and government of irrigation districts, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RAGSDALE.
VOORHIES.
McCOMAS.
SHIPPEE.
BERRY.
DRAY.
MEAD.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 14, 1891.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 565—An Act to amend an Act entitled "An Act to reorganize Swamp Land District No. 70, of Sutter County, and to provide for the construction, maintenance, and repairs of levees therein," approved March 27, 1878.

Also: Senate Bill No. 612—An Act to define the boundary and provide for the government of Levee District No. 6, of Sutter County, California.

Also: Senate Bill No. 613—An Act to provide for funding the indebtedness of Levee District No. 6, of Sutter County, and to provide for the payment of such funded debt.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

DRAY, Chairman.

MOTION.

Senator De Long moved that Senate Joint Resolution No. 18 be now taken up.

So ordered.

SENATE JOINT RESOLUTION No. 18.

Joint resolution relative to Nicaragua Canal.

WHEREAS, The Committee on Foreign Relations of the United States Senate has unanimously recommended a bill for the economical construction of the Nicaragua Canal, under conditions which will secure its control to the United States Government, with a guarantee of moderate tolls for freight and passenger traffic, and securing to the people of the United States important political and commercial advantages; and whereas, the completion of this interoceanic highway will be of great benefit to the producers, land owners, and merchants of the Pacific Coast;

Resolved, That the Legislature of the State of California respectfully urges upon the Congress of the United States the necessity for immediate and favorable action upon the bill securing the prompt construction of the Nicaragua Canal, under conservative conditions as to its cost, management, and control for the benefit of the United States Government and of all American citizens.

Resolved, That attested copies of these joint resolutions be forwarded to the President of the United States, to the President of the United States Senate, to the Speaker of the House of Representatives, and that a copy thereof be filed with the honorable Secretary of State of the United States, at the National Capitol.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Berry, Broderick, Byrnes, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—None.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Crandall: Senate Bill No. 628—An Act to amend section one thousand seven hundred and ninety-three of the Political Code of the State of California, relating to City Boards of Education and compensation of employés.

Referred to Committee on Education and Public Morals.

By Senator Dargie: Senate Bill No. 629—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relative to a system of street improvement bonds.

Referred to Committee on Counties, County Governments, and Township Organization.

RESOLUTIONS—(OUT OF ORDER).

By Senator Goucher:

Resolved, That the sum of one thousand dollars is hereby allowed and appropriated out of the Contingent Expense Fund of the Senate in favor of ex-Senator P. J. Murphy, for payment of witnesses fees, attorney's fee, and other expenses not heretofore provided for in the contested election case of P. J. Murphy against J. H. Mahoney, and the Controller of State is hereby directed to draw his warrant in favor of P. J. Murphy, in accordance with the provisions hereof.

Referred to Committee on Contingent Expenses and Mileage.

By Senator Ragsdale:

Resolved, That after the noon recess the Senate transact no other business than the first reading of bills, which reading shall include all bills reported by the different committees on this day.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Byrnes, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Shippee, Voorhies, Williams (Wm. H), and Williams (Geo. H.)—22.
NOES—Mr. Crandall—1.

CASE OF URGENCY.

By Senator Heacock:

Resolved, That Senate Bill No. 585 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times upon one day, and placed upon its passage.

Senator Fraser in the chair.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Byrnes, Campbell of Solano, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—27.
NOES—None.

SPECIAL FILE.

Senate Bill No. 585—An Act to amend section two thousand six hundred and seven of "An Act to add thirty-four sections to 'An Act of the Legislature of the State of California to establish a Political Code,' approved March 12, 1872, said sections to be known and numbered and designated as sections two thousand five hundred and seventy-five to two thousand six hundred and eight, all relating to a Board of State Harbor Commissioners for the bay of San Diego," approved March 18, 1889, relative to the salaries and pay of the officers and employés of the Harbor Commissioners of the bay of San Diego.

Bill read second and third times, considered engrossed, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—26.
NOES—None.

Title read and approved.

Senator Heacock moved that the hour for recess be extended until twelve o'clock and fifteen minutes P. M.

So ordered.

Senator Ragsdale moved that Senate Bill No. 128 be passed on file.

So ordered.

Senator Heacock moved that Senate Constitutional Amendments Nos. 3, 7, 5, 14, 17, and 8, and Senate Bill No. 274 be passed on file.

So ordered.

Senator McComas moved that the reconsideration of the vote on Senate Bill No. 104 be made a special order for two o'clock P. M. Monday.

So ordered.

Substitute for Senate Bill No. 331—An Act making an appropriation to pay the deficiency in the appropriation for the salaries of the members and officers of the Board of State Harbor Commissioners for the Bay of San Diego, for the fortieth, forty-first, and forty-second fiscal years.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Campbell of Solano, Crandall, Dargie, De Long, Dray, Everett, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—None.

Title read and approved.

Senator Heacock moved that Senate Bill No. 585 and substitute for Senate Bill No. 331 be immediately transmitted to the Assembly.

So ordered.

Senator Goucher moved that the hour for recess be extended to twelve o'clock and twenty minutes P. M.

So ordered.

Senator Maher moved that Assembly messages be now considered.

So ordered.

The following message was then read:

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 138—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations, and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes.

Also: Senate Bill No. 209—An Act entitled an Act to appropriate moneys to pay the claim of Geo. Fetherstone, for services rendered in the office of the Treasurer of State.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Assembly Bill No. 138 referred to Committee on City, City and County, and Town Governments.

Senate Bill No. 209 ordered to enrollment.

MOTIONS.

Senator Goucher moved the adoption of the committee report on the proposed amendment to the Rules, as follows:

SENATE CHAMBER, SACRAMENTO, February 12, 1891.

MR. PRESIDENT: Your Committee on State Library and Rules, to whom was referred the following resolution:

Resolved, That on and after Tuesday, February 17, 1891, there shall be held, daily, an evening session of the Senate, beginning at seven o'clock and thirty minutes P. M.

Have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

McGOWAN, Chairman.

Senator Goucher moved that the hour for recess be extended until the business at hand be disposed of.

So ordered.

Senator Dray moved to amend by striking out the words "Tuesday, the seventeenth," and inserting in lieu thereof the words "Thursday, the nineteenth."

Ayes and noes were demanded by Senators Everett, Crandall, and Heacock.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Berry, Britt, Dargie, Denison, Dray, Fraser, Goucher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Shippee, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—17.

NOES—Messrs. Broderick, Byrnes, Crandall, De Long, Everett, Heacock, Maher, McGowan, Preston, and Welch—10.

The roll was then called on the adoption of the committee report as amended, which was adopted by the following vote:

AYES—Messrs. Berry, Britt, Broderick, Byrnes, Campbell of Solano, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—Messrs. Bailey, Crandall, Heacock, and Preston—4.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 14, 1891.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 33—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DE LONG, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 14, 1891.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bills Nos. 589 and 621—have had the same under consideration, and respectfully report the same back, and recommend that they do pass: the first—No. 589—as amended by your committee.

DARGIE, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Dargie:

Resolved, That Senators G. H. Williams, W. H. Williams, and Britt, for the Committee on Public Buildings other than Prison Buildings, be granted a leave of absence for the purpose of visiting the Deaf, Dumb, and Blind Asylum at Berkeley.

Adopted.

RECESS.

At twelve o'clock and thirty minutes P. M., Senator Dray moved that the Senate take a recess until two o'clock P. M.

So ordered.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

PRESENTATION OF PETITION.

The President of the Senate presented a petition relative to the Sunday Law.

Referred to Committee on Education and Public Morals.

MOTION.

Senator Heacock moved that when the Senate adjourn it do so out of respect to the memory of the late General Wm. T. Sherman and Commodore David D. Porter.

So ordered.

FIRST READING OF BILLS.

The following bills were read first time:

Senate Bill No. 155—An Act to amend an Act entitled "An Act amendatory of an Act entitled 'An Act for the better protection of stockholders in corporations formed under the laws of the State of California, for the purpose of carrying on and conducting the business of mining.'" approved March 30, 1874, in effect April 23, 1880.

Senate Bill No. 156—An Act to amend sections three hundred and seven, three hundred and twelve, and three hundred and fourteen of the Civil Code.

Senate Bill No. 371—An Act to provide for the erection and furnishing of a Superintendent's residence, for the purchase of laundry machinery, for reflooring the female asylum building, and for the permanent improvement of the walks and driveways on the grounds of the State Asylum for the Insane at Stockton, and to appropriate money therefor.

Senate Bill No. 519—An Act to amend sections eight, eighteen, twenty-one, and twenty-three of an Act entitled "An Act to incorporate the town of Red Bluff, Tehama County, California," approved March, 1876, and amended March, 1878.

Senate Bill No. 220—An Act authorizing Boards of Supervisors of the several counties to grant compensation to corporations or persons owning a toll road for improvements thereon constructed after the franchise has expired.

Senate Bill No. 590—An Act to protect the owners of bottles, boxes, siphons, and kegs, used in the sale of soda waters, mineral or aerated

waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages.

Senate Bill No. 583—An Act to amend section two of an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885.

Assembly Bill No. 53—An Act to amend section two thousand and twenty-four of the Code of Civil Procedure, relative to the manner of taking depositions out of the State.

Assembly Bill No. 54—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure, relating to the service of summons in actions in Justices' Courts.

Assembly Bill No. 56—An Act to amend section one hundred and twenty-eight of the Civil Code of the State of California, relative to actions in divorce cases.

Amended Assembly Bill No. 58—An Act to amend section one thousand two hundred and five of the Penal Code, relating to fines and imprisonment.

Assembly Bill No. 66—An Act authorizing incorporated cities to acquire, by gift, purchase, or condemnation proceedings, water, water rights, reservoir sites, rights of way, and other appliances for supplying such cities and their inhabitants with water.

Amended Assembly Bill No. 101—An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale.

Senate Bill No. 445—An Act to amend section forty-eight of the Insolvent Act of 1880.

Amended Assembly Bill No. 36—An Act to add an additional section to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorney.

Assembly Bill No. 129—An Act to add an additional section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain a divorce, or to aid therein.

Senate Bill No. 592—An Act to amend section thirteen of an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Senate Bill No. 446—An Act to amend section forty-nine of the Insolvent Act of 1880.

Senate Bill No. 447—An Act to amend section fifty-five of the Insolvent Act of 1880.

Senate Bill No. 449—An Act to add a new section to the Civil Code of the State of California, said section to be numbered one thousand six hundred and seventy-seven.

Assembly Bill No. 20—An Act to amend section four hundred and eight of the Code of Civil Procedure.

Assembly Bill No. 214—An Act to amend section eight hundred and

seventy-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 215—An Act to amend section seven hundred and seventy-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Senate Bill No. 588—An Act to amend sections two hundred and sixty-nine, two hundred and seventy, two hundred and seventy-one, two hundred and seventy-two, two hundred and seventy-three, and two hundred and seventy-four of chapter three, title four, of the Code of Civil Procedure.

Senate Bill No. 273—An Act to amend sections three hundred and thirty-seven and three hundred and thirty-nine of the Code of Civil Procedure, relating to time of commencing actions.

Senate Bill No. 297—An Act to amend section seven hundred and ninety-one of the Political Code, relating to the appointment and number of Notaries Public.

Senate Bill No. 328—An Act to amend section twenty-five of the Civil Code, relating to the age of minors.

Senate Bill No. 433—An Act to add two new sections to the Penal Code, to be numbered sections one thousand three hundred and twenty-nine and one half and one thousand three hundred and twenty-nine and three quarters, relative to paying witnesses in criminal cases.

Senate Bill No. 555—An Act to add a new section to the Political Code, to be numbered eight hundred and two, providing for recording the commission of a Notary Public.

Senate Bill No. 563—An Act to amend sections one thousand five hundred and seventy-seven, one thousand five hundred and seventy-eight, and one thousand five hundred and seventy-nine of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Senate Bill No. 572—An Act to amend section two thousand three hundred and fourteen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Librarian of the Supreme Court Library.

Assembly Bill No. 34—An Act concerning the costs in civil actions for serving summonses and subpœnas.

Senate Bill No. 31—An Act to amend section three thousand six hundred and fifty-three of an Act tentiled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of Assessors.

Senate Bill No. 477—An Act to provide for the formation, organization, and government of sanitary districts, and to provide for the laying and maintaining of sewers therein, the issuing of bonds therefor, and the levying and collection of taxes therein.

Senate Bill No. 522—An Act to amend section two hundred and eleven of an Act entitled "An Act to amend sections thirteen, sixteen, twenty-five, fifty-seven, seventy, seventy-one, one hundred and forty-seven, one hundred and sixty-two, one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and

eighty-three, one hundred and eighty-four, one hundred and eighty-five, one hundred and eighty-six, one hundred and eighty-seven, one hundred and eighty-eight, one hundred and eighty-nine, one hundred and ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety-three, one hundred and ninety-five, one hundred and ninety-six, two hundred and one, two hundred and two, two hundred and three, two hundred and six, two hundred and nine, two hundred and eleven, and two hundred and twenty-five of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved March 14, 1883, as amended March 14, 1885, March 18, 1885, and March 17, 1887, and to insert two new sections, to be numbered one hundred and eighty-eight and one half and two hundred and one and one half, and to create two new classes of counties of the twenty-sixth and one half and of the thirty-ninth and one half class, relating to the government of counties, and to repeal section one hundred and ten and one half of said Act," approved March 16, 1889.

Senate Bill No. 612—An Act to define the boundary and provide for the government of Levee District No. 6, of Sutter County, California.

Senate Bill No. 616—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by adding thereto a new section, to be known as section forty-one and one half.

Senate Bill No. 179—An Act to enable towns, cities, counties, and cities and counties of this State to provide for a supply of water for the purpose of fire protection and use of the inhabitants of such towns, cities, counties, and cities and counties, and authorizing the levy and collection of taxes therefor by them, and regulating the charge and management thereof, and providing for the construction and maintenance of waterworks, dams, reservoirs, ditches, canals, and other means to conduct, distribute, and supply each town, city, county, or city and county, and its inhabitants with water.

Senate Bill No. 63—An Act to fix the compensation for gas supplied by persons, companies, or corporations, to any city, or incorporated city and county, of more than one hundred thousand (100,000) inhabitants, or to the inhabitants thereof, and to provide a penalty for collecting or attempting to collect illegal gas rates.

Senate Bill No. 175—An Act to compel persons, companies, or corporations supplying gas to any city, city and county, or town, or to the inhabitants thereof, to supply gas to any person desiring the same; to provide for the connecting of gas meters, and to provide a penalty for violating the provisions of this Act.

Senate Bill No. 613—An Act to provide for funding the indebtedness of Levee District No. 6, of Sutter County, and to provide for the payment of such funded debt.

Senate Bill No. 545—An Act to define the duties of and to license land surveyors.

Senate Bill No. 565—An Act to amend an Act entitled "An Act to reorganize Swamp Land District No. 70, of Sutter County, and to provide for the construction, maintenance, and repairs of levees therein," approved March 27, 1878.

Senate Bill No. 514—An Act to fix the width of public highways,

prevent encroachments thereon, and to give to Boards of Supervisors the power to determine their location, extent, width, and grade.

Senate Bill No. 96—An Act to amend section five hundred and one of the Civil Code, relating to railroads.

Senate Bill No. 161—An Act to amend an Act entitled "An Act to limit and fix the rates of fares on street railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878.

Senate Bill No. 93—An Act to amend sections six hundred and twenty-eight and six hundred and thirty of the Civil Code, relating to gas corporations.

Senate Bill No. 589—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having fifty thousand inhabitants and over that number, providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors.

Senate Bill No. 487—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and town governments," approved March 14, 1883, amended March 14, 1885, March 18, 1885, and as amended March 17, 1887, and March 16, 1889, by adding a new subdivision to said section twenty-five, to be known and designated as subdivision thirty-nine.

Senate Bill No. 125—An Act to amend section three thousand nine hundred and twenty-six of the Political Code, relating to the boundary of Sutter County.

Senate Bill No. 599—An Act entitled an Act relating to the working, rights of way, easement, and drainage of mines in the State of California.

Senate Bill No. 102—An Act to add a new article to the Civil Code, to be known as article two, of chapter three, of title seven, of part four, relating to telephone companies.

Senate Bill No. 584—An Act to amend section one thousand two hundred and forty-three of the Penal Code of the State of California, relative to the stay of the execution of the judgment in criminal cases, pending an appeal to the Supreme Court.

Senate Bill No. 597—An Act authorizing persons having claims against the State, or against counties, to prosecute and establish them in the Courts, and providing for the payment of judgments.

Senate Bill No. 570—An Act to authorize Robert C. Ball to sue the State of California.

Senate Bill No. 502—An Act to create the office of Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco.

Senate Bill No. 144—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Senate Bill No. 411—An Act to amend section eight hundred and sixty-five of the Code of Civil Procedure, relating to arrests in civil actions.

Senate Bill No. 426—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known and numbered as section nine hundred and ninety-one, relating to the compensation of attorneys, and providing when the same shall be a claim against the county.

Senate Bill No. 467—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

Senate Bill No. 566—An Act to amend sections one thousand three hundred and fifty-two, one thousand three hundred and seventy, and one thousand seven hundred and fifty-one of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the disabilities of married women to act as executors, administrators, or guardians.

Senate Bill No. 568—An Act to establish Boards of Commissioners for the parole of and government of paroled prisoners.

Senate Bill No. 418—An Act to amend section five hundred and eight of the Civil Code, relating to street railroads.

Senate Bill No. 564—An Act to declare the bridge across Feather River, extending from Fifth Street, at the city of Marysville, in the county of Yuba, to the opposite bank of said river, a free bridge.

Senate Bill No. 33—An Act to provide buildings and improvements at the Deaf and Dumb and Blind Asylum, and making an appropriation for the same.

Senate Bill No. 621—An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds.

Senate Bill No. 551—An Act supplementary to an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, A. D. 1883, and being in relation to the organization of new counties and the classification thereof.

Senate Bill No. 174—An Act to provide for the refunding of money held by gas companies, or persons or companies supplying gas, as security for gas meters, and to provide a penalty for violations of this Act.

Senate Bill No. 525—An Act to amend section five hundred and forty-nine of the Civil Code, relating to corporations formed to supply water.

Senate Bill No. 186—An Act to provide for accurate meters, or other instruments or devices used to measure or weigh the water sold, rented, or supplied to cities and counties, cities, and towns, or to the inhabitants thereof; to regulate the furnishing and use of such meters, or other instruments or devices, and to provide a penalty for a violation of this Act.

Senate Bill No. 265—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

Senate Bill No. 168—An Act regulating the charges of telephone companies, and of corporations and individuals operating telephones and telephone lines.

ADJOURNMENT.

At two o'clock and forty minutes P. M. the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, February 16, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Bailey moved that further reading of the Journal be dispensed with.

So ordered.

MOTIONS.

Senator McComas moved that the reconsideration of the vote on Senate Bill No. 104 be made a special order for Friday, at two o'clock P. M.

So ordered.

Senator Dray moved that the consideration of Senate Bills Nos. 47, 2, and 16 be made a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

Senator Mead moved that the consideration of Senate Joint Resolution No. 20 be now considered, for the purpose of amendment, and that Senator McGowan be made a special committee of one, with instructions to make the following amendment:

Insert in line after the word "said" the word "commission."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 16, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Joint Resolution No. 20, with instructions to amend as follows: Insert in line after "said" the word "commission"—has had the same under consideration, and respectfully report the same back amended as per your instructions.

McGOWAN, Committee.

Report adopted.

Senator Heacock asked leave of absence for Senator Campbell of Solano.

Granted.

PRESENTATION OF PETITION.

Senator Heacock presented the following petition, which was ordered printed in the Journal:

To the honorable Senate and Assembly of the State of California:

WHEREAS, Assembly Bill No. 210, introduced by Mr. Bruner, and referred to the Committee on Corporations, January thirteenth, intending to regulate the sale and use of petroleum oils, and their products, in the State of California, and requiring such oils to be subjected to a fire test of one hundred and fifty degrees, subjecting sellers to outrageous fees for the inspection of each barrel, amounting to fifty cents a package; and whereas, such bill, if passed, would work a peculiar hardship on the poor, who are consumers exclusively of an oil of one hundred and ten degrees fire test, which is perfectly safe if used with ordinary care; and whereas, if the Bruner bill should become a law, the oil industry of Southern California would be paralyzed, development stopped, and the business killed; and whereas, the oil interest of Southern California is in its infancy, but with prospects of indefinite expansion; therefore,

We, the undersigned, citizens and residents of the county of Santa Barbara, do most respectfully petition your honorable body to take such action as to you may seem proper to defeat this bill, or any bill having for its object the ruin and destruction of the oil industry of Southern California.

And your petitioners will ever pray.

SANTA BARBARA, CALIFORNIA, February 14, 1891.

Occidental M. & Petroleum Co.
Summerland Gas Co.
E. B. Hall, attorney at law.
R. B. Canfield, attorney at law.
W. M. Eddy, Pres. S. B. County Nat. Bank.
Austin & Trenwith.
Benton, Burt & Co.
A. L. Lincoln, Cashier First Nat. Bank.
Noble & Hitchcock.
J. C. Gilbert.
A. Garland.
Kearney Bros.
C. C. Knight.
Sonergan & Newman.
Rogers Bros. Produce Co.
W. A. Judge.
L. Liebman.
H. F. Maguire, per F. G. M.
F. G. Maguire.
G. P. Tebbitts, "Daily Independent."
P. E. Lau.
Daulton & Smith.
A. M. Rinz.
C. H. Frink.
"The Great Wardrobe."
John F. Diehl.
Frank A. Conard.
Theo. M. Breslauer.
D. W. Emerson.
S. Loomis.
Edwards & Co.
John T. Johnston.
Johnston & Benson.
Hunt, Hosmer & Co.
H. A. C. McPhail.
Sherman & Ealand.
B. Gutiener.
Menzel & Ramsey.
M. & L. Truslud.
Louis G. Dreyfus.
H. L. Williams.
Alfred Cavis.
C. A. Stuart.
Edward Ivison.
E. M. Pyle.
W. C. Show.
W. L. Hunt.

REPORTS OF STANDING COMMITTEES.

ON FORESTRY, YOSEMITE VALLEY, AND MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, February 13, 1891.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Bill No. 558—have had the same under consideration, and report the same back, and recommend that it do pass.

Also: Senate Bill No. 60—and report the same back, and recommend that it do not pass.

Also: Senate Bill No. 294—and report the same back without recommendation.

Also: The petition from the Santa Barbara County Farmers' Alliance and Industrial Union—and report the same back with the statement that it meets with the approbation of the committee.

FLINT, Chairman.

ON PUBLIC PRINTING.

SENATE CHAMBER, SACRAMENTO, February 16, 1891.

MR. PRESIDENT: Your Committee on Public Printing, to whom was referred Senate Bills Nos. 603 and 604—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bills Nos. 586 and 587—have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

STREETER, Chairman.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 14, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bill has been correctly engrossed:

Senate Bill No. 81—An Act to provide for a State Board of Arbitration, for the settlement of differences between employers and employés.

RAGSDALE, Chairman.

ON CONSTITUTIONAL AMENDMENTS AND BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, February 16, 1891.

MR. PRESIDENT: Your Committee on Constitutional Amendments and Banks and Banking, to whom was referred Senate Bill No. 598, and also Senate Constitutional Amendment No. 20—have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

CRANDALL, Chairman.

MESSAGE FROM THE GOVERNOR.

The following communication was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 14, 1891.

To the Senate of the State of California:

I hereby nominate John H. Dickinson, of the City and County of San Francisco, to the office of Brigadier-General of the Second Brigade of the National Guard of California, to succeed John T. Cutting, resigned, and respectfully request your consent to the same.

H. H. MARKHAM, Governor.

Senator Ostrom moved that the Senate advise and consent to the appointment of John H. Dickinson to the office of Brigadier-General of the Second Brigade, N. G. C.

Seconded by Senator Goucher.

Motion carried by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.

NOES—None.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Carpenter: Senate Bill No. 630—An Act to amend sections one thousand three hundred and five and one thousand three hundred and six of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to forfeiture of the undertaking of bail.

Referred to Committee on Judiciary.

Also: Senate Bill No. 631—An Act to establish law libraries.

Referred to Committee on Judiciary.

By Senator Maher: Senate Bill No. 632—An Act to amend section one hundred and thirty-seven of the Civil Code of the State of California, relating to alimony, the expense of an action for divorce, and the action for permanent support and maintenance.

Referred to Committee on Judiciary.

Also: Senate Bill No. 633—An Act to amend section four hundred and twenty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to infraction of the revenue law.

Referred to Committee on Judiciary.

Also: Senate Bill No. 634—An Act to amend section three thousand six hundred and thirty of an Act entitled "An Act to establish a Political Code," relative to revenue, approved March 12, 1872.

Referred to Committee on Judiciary.

By Senator Crandall: Senate Bill No. 635—An Act to enable municipal corporations in the State of California owning public parks, or city reservations of lands, to preserve the same for public use, and to lease the same for a period not to exceed twenty years, in such manner not to deprive the public of the use thereof.

Referred to Committee on Judiciary.

SPECIAL FILE.

Senator Ragsdale moved that Senate Bill No. 128 be passed on file.

So ordered.

Senate Constitutional Amendments Nos. 3, 7, 5, 14, 17, 8, and 19, and Senate Bill No. 274, were passed on file.

SECOND READING OF BILL.

Substitute for Senate Bills Nos. 53, 193, and 280—An Act to amend section one, to add one new section, to be numbered eight and one half, of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same," approved April 15, 1880, amended March 6, 1883, March 9, 1885, amended March 14, 1885, amended March 9, 1887, and amended March 9, 1889, relating to the formation of new districts and the residence of Directors.

The following amendments were submitted:

Mr. Heacock moved to amend by striking out of section one, line twenty-five, the word "River," and inserting the following: "Mountains and east of Gaviota Pass."

Adopted.

Mr. Heacock moved to amend by striking out of section one, line forty-six, the words, "lying north of the Santa Ynez River," and inserting the following: "not included in Agricultural District No. 19."

Adopted.

Mr. Voorhies moved to amend by striking out of section one, line thirty-eight, the words "and Calaveras."

Adopted.

Mr. Voorhies moved to amend by striking out of section one, line five, the word "Stanislaus."

Adopted.

Mr. Goucher moved to amend by inserting the figure "3," in lieu of the figure "2," in numbering the third section.

Adopted.

Bill read second time, ordered engrossed and on file for third reading.

REPORT OF STANDING COMMITTEE.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 16, 1891.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 106—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Senate Bill No. 281—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—22.
NOES—Messrs. Carpenter and Heacock—2.

Title read and approved.

Senator Fraser in the chair.

Senate Bill No. 118—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Bill read third time, and refused final passage by the following vote:

AYES—Messrs. Britt, Broderick, Hamill, McGowan, Ragsdale, and Williams (Geo. H.)—6.
NOES—Messrs. Banks, Berry, Carpenter, Dargie, De Long, Denison, Dray, Everett, Goucher, Maher, McComas, Ostrom, Preston, Shippee, Streeter, Welch, and Williams (Wm. H.)—17.

Senate Bill No. 133—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote horticultural interests of the State,'" approved March 19, 1889.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Carpenter, De Long, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.
NOES—None.

Title read and approved.

Senate Bill No. 256—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Passed on file.

Senate Bill No. 268—An Act to amend section two thousand nine hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the preservation of the public health.

Passed on file.

Senate Bill No. 91—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and furnishing by the Board of State Harbor Commissioners of a general ferry and passenger depot in the City and County of San Francisco, to create a Sinking Fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Carpenter, De Long, Denison, Dray, Everett, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.
NOES—Mr. Goucher—1.

Title read and approved.

Senator Dray gave notice that he would to-morrow move to reconsider the vote by which Senate Bill No. 118 was refused passage.

Senator McGowan moved that Senate Bill No. 115 be passed on file.

So ordered.

Senate Bill No. 5—An Act to add a new section to the Political Code, to be numbered section two thousand six hundred and twenty-three, in relation to vacating public roads.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, and Williams (Wm. H.)—25.

NOES—None.

Title read and approved.

Senate Bill No. 3—An Act to amend section two thousand six hundred and eighty-eight of the Political Code of the State of California, concerning the hearing of the reports of viewers of public highways by Boards of Supervisors, and the manner, time, and place of hearing such report, and the method of giving notice of such time and place to non-consenting land owners, and concerning damages to be awarded on such hearing.

Senator Preston moved that the author of the bill be appointed a special committee of one to make the following amendment:

Amend, by inserting in section one, line six, after the word "hearing," the following: "by having written notice served on them personally, or on the occupant or agent of the owner; or if neither the owner nor the agent of the owner or occupant can be so notified by reason of non-residence, or other cause."

MOTION.

Senator Heacock moved that pending the amendment the Senate consider Assembly messages.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 615—An Act authorizing the Governor of the State of California to offer a reward for the arrest and conviction of the party who murdered Mrs. John Greenwood, in Napa County, on the evening of February 9, 1891, and making an appropriation to pay the same.

Also: Passed Senate Bill No. 626—An Act making an appropriation for the contingent expenses of the Senate for the twenty-ninth session of the Legislature.

Also: On February fourteenth, respectfully struck out the enacting clause of Senate Bill No. 22—An Act to amend section four hundred of the Penal Code, relating to the offense of aiding, advising, and encouraging the commission of suicide, and to renumber said section.

Also: Senate Bill No. 30—An Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand eight hundred, three thousand eight hundred and sixteen, three thousand eight hundred and sixty-six, and three thousand eight hundred and sixty-eight of "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be known as section three thousand seven hundred and fifty-seven, relative to the collection of property taxes, and providing for the payment of taxes by installments.

Also: Senate Bill No. 49—An Act to amend section seventy of the Civil Code, relating to solemnization of marriages.

Also, on February thirteenth, passed Assembly Bill No. 39—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of the State of California, relative to the place of trial of certain actions where a county or city is a party and a citizen or corporation resident of another county is sued by a county or city.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

On motion of Senator Heacock, Senate Bills Nos. 615 and 626 were ordered to enrollment.

Senator Goucher moved that Assembly Bill No. 39 be placed on file.

So ordered.

THIRD READING OF BILLS—(RESUMED).

On the motion of Senator Preston to have Senator Berry appointed a special committee of one to amend Senate Bill No. 3, ayes and noes were demanded by Senators Preston, Voorhies, and Crandall.

The motion was lost by the following vote:

AYES—Messrs. Carpenter, Crandall, Denison, Fraser, Heacock, McGowan, Preston, Streeter, Voorhies, and Williams (Geo. H.)—10.

NOES—Messrs. Bailey, Banks, Berry, Britt, Everett, Goucher, Hamill, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Welch, and Williams (Wm. H.)—15.

The roll was called, and Senate Bill No. 3 finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Carpenter, Dargie, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Maher, McComas, Mead, Ostrom, Ragsdale, Shippee, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—23.

NOES—Messrs. Crandall, McGowan, Preston, and Voorhies—4.

Title read and approved.

Senator Ostrom moved to refer Assembly Bill No. 39 to Judiciary Committee.

MOTION.

Senator Heacock moved that messages from the Governor be taken up.

So ordered.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 16, 1891.

To the honorable Senate of the State of California:

It becomes my painful duty, as the Executive of this State, to announce officially the death of General William Tecumseh Sherman. The whole nation is in mourning, and every evidence of respect that a grateful people is capable of manifesting should be, and I doubt not, will be expressed in memory of him who, upon all occasions during his eventful life, manifested such loyalty and such unexampled devotion to the interests of this nation.

He was the last of the three great Union Generals to go; and the nation will forever cherish his memory as one of the greatest military men of the age. So long as this nation lives, the names of Grant, Sherman, and Sheridan will remain green on the pages of her history.

While we so deeply mourn his loss, let us thank God for sparing his life in the time of our greatest need of him, and that he has been allowed to enjoy, to the fullest extent, the confidence, appreciation, and affection of a grateful people during his declining years.

General Sherman was in youth a soldier on our soil; in after years, a citizen of our State, and was a constant and devoted friend to California, and dearly beloved by our people. Therefore, I, Henry H. Markham, Governor of the State of California, do hereby recommend, as a mark of appreciation of his worth as a soldier and citizen, that the flags on the several public buildings of the State, as also county, municipal, and school, be placed at half-mast, and so remain for thirty days. It is also recommended, as a further mark of respect, that on the day of the obsequies both Houses of the Legislature adjourn, and all public business be suspended at the Capitol building for the day.

H. H. MARKHAM, Governor.

Senator Heacock moved that the suggestions incorporated in the Governor's message be adopted by the Senate, and that on the day the obsequies are held the Senate stand adjourned.

So ordered.

Ayes and noes were demanded on Senator Ostrom's motion, by Senators Ostrom, Mead, and Goucher.

The roll was called with the following result:

AYES—Messrs. Berry, Carpenter, Crandall, Dray, Mahoney, Ostrom, Shippee, and Streeter—8.

NOES—Messrs. Banks, Britt, Broderick, Dargie, Denison, Everett, Fraser, Goucher, Hamill, Heacock, Maher, McComas, McGowan, Mead, Preston, Ragsdale, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—20.

ADJOURNMENT.

At five o'clock P. M., on motion of Senator Maher, the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 17, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

LEAVE OF ABSENCE.

On motion of Senator Dray, Senator Campbell of Solano was granted leave of absence for the day.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Ragsdale moved that further reading of the Journal be dispensed with.

So ordered.

On motion of Senator Dray, Senate Bills Nos. 47, 2, and 16 were made a special order for Wednesday next, immediately after the reading of the Journal.

APPROVAL OF THE JOURNAL.

On motion of Senator Heacock, the Journal of February 14, 1891, was approved.

PRESENTATION OF PETITION.

Senator Ostrom presented a petition signed by several thousand citizens, asking for a reform ballot law.

REPORT OF STANDING COMMITTEE.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 17, 1891.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section eighteen of article eleven thereof, relative to the increasing of indebtedness or liability by any county, city, town, township, Board of Education, or school district—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DENISON, Chairman.

NOTICE OF MOTION TO CHANGE RULES.

Senator Heacock presented the following notice:

I hereby give notice that I will, on to-morrow, move to change Rule 24, by adding at the end thereof, the following: "and no Senator shall speak longer than five minutes at any one time, upon any question, without the unanimous consent of the Senate."

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Crandall: Senate Bill No. 636—An Act to amend section six hundred and sixteen of the Political Code, relative to insurance companies.

Referred to Committee on Judiciary.

By Senator Denison: Senate Bill No. 637—An Act to provide for a deficiency in the appropriation for the expenses of the State Board of Railroad Commissioners.

Referred to Committee on Finance.

By Senator De Long: Senate Bill No. 638—An Act to amend section seven hundred and thirty-seven of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts.

Referred to Committee on Judiciary.

RESOLUTIONS—(OUT OF ORDER).

Senator De Long moved the adoption of Senate Concurrent Resolution No. 1:

Resolved, That a committee of three be appointed by the President of the Senate, to meet a like committee to be appointed by the Assembly, to provide some way of speedily transacting the business of passing all bills of each of the respective Houses, to the effect that the bills passed by either of the Houses shall not be allowed to drag on the file of the other House; but that the work sent from either House shall receive the earliest attention from the other House.

Resolved, That the Assembly be at once notified of the passage of the resolution, and that they be requested to appoint a committee of three, to meet the Senate committee at once, to arrange a joint rule to regulate the matter of the work of both Houses.

Adopted.

The President appointed as such committee, called for in the above resolution, Senators De Long, Heacock, and Goucher.

By Senator Crandall:

Resolved, That the Secretary of State be instructed to furnish each Senator, and the President and Secretary of the Senate, with a set of the Constitutional Debates.

Adopted.

By Senator Britt:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants in favor of the following Senators for the amounts set opposite their names, for mileage on account of Committee on Public Buildings other than Prison Buildings for visiting the State buildings at Berkeley: Senator W. H. Williams, one hundred and eighty-two miles, eighteen dollars and twenty cents; Senator G. H. Williams, one hundred and eighty-two miles, eighteen dollars and twenty cents; Senator Jas. E. Britt, one hundred and eighty-two miles, eighteen dollars and twenty cents; the same to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 16, 1891.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Assembly Bill No. 138—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations, and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section eight, article eleven of the Constitution—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

DARGIE, Chairman.

MOTION.

Senator Ragsdale moved that Assembly Bill No. 138 be read the first time, and substituted for Senate Bill No. 128.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 138—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations, and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section eight, article eleven of the Constitution.

Bill read first time.

Senator Ostrom moved to postpone the consideration of substitute for Senate Bills Nos. 8, 57, 123, and 369, until three o'clock P. M. to-day, and to have same referred to Committee on Elections, with instructions to amend so that it will conform with the Story system of counting, and report back at three o'clock P. M. to-day.

So ordered.

SPECIAL FILE.

On motion of Senator Goucher, Senate Constitutional Amendment No. 3 was made a special order for Wednesday next.

Senate Constitutional Amendment No. 7—To propose to the people

of the State an amendment to the Constitution of the State, relative to poll tax.

On motion of Senator Maher, the special order set for consideration at this hour was continued until the matter at hand be disposed of.

So ordered.

Senator Dray moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

On motion of Senator Dray, further proceedings under the call of the Senate were dispensed with.

The roll was called, and Senate Constitutional Amendment No. 7 was lost by the following vote:

Ayes—Messrs. Banks, Britt, Broderick, Byrnes, Dargie, Dray, Everett, Goucher, Hamill, Maher, Mahoney, McComas, McGowan, Shippee, Voorhies, Welch, and Williams (Geo. H.)—17.

Noes—Messrs. Bailey, Berry, Carpenter, Crandall, De Long, Denison, Fraser, Heacock, Mead, Ostrom, Preston, Ragsdale, Sprague, Streeter, and Williams (Wm. H.)—15.

SPECIAL ORDER.

Senate Bill No. 480—An Act to amend section one thousand three hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a married woman as administratrix of an estate of a deceased person.

Bill read third time, and finally passed by the following vote:

Ayes—Messrs. Bailey, Berry, Broderick, Byrnes, Campbell of Solano, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.

Noes—Messrs. Britt and Carpenter—2.

Title read and approved.

Senator Berry gave notice that on to-morrow he would move to reconsider the vote by which Senate Bill No. 480 was finally passed.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 17, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 278—An Act to prohibit the sale of intoxicating liquors within one mile of any reform school where juveniles are confined or kept.

Also: Substitute for Senate Bills Nos. 53, 193, and 280—An Act to amend section one, to add one new section, to be numbered eight and one half, of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same," approved April 15, 1880, amended March 6, 1883, March 9, 1885, amended March 14, 1885, amended March 9, 1887, and amended March 9, 1889, relating to the formation of new districts and the residence of Directors.

RAGSDALE, Chairman.

ON COUNTIES, COUNTY GOVERNMENTS, AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 17, 1891.

MR. PRESIDENT: Your Committee on Counties, County Governments, and Township Organization, to whom was referred Assembly Bill No. 79—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bills Nos. 618, 619, and 171—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GEO. J. CAMPBELL, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Mahoney: Senate Bill No. 639—An Act to provide for the employment of destitute citizens, and making appropriations therefor.

Referred to Committee on Labor and Capital.

By Senator Maher: Senate Bill No. 640—An Act to amend section thirty-eight and thirty-nine of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Referred to Committee on Labor and Capital.

PRESENTATION OF PETITION.

Senator Mahoney presented the following, which he requested be printed in the Journal:

So ordered.

SAN FRANCISCO, February 12, 1891.

To the honorable Committee on Labor and Capital:

GENTLEMEN: The bearers, Wm. M. Willey and C. B. Sedgwick, are duly elected delegates from the unemployed of this city in mass meeting assembled, Thursday the twelfth instant. These gentlemen are instructed to request your honorable body to introduce a bill providing for an annual appropriation of one thousand dollars for each five thousand inhabitants, or for each and every incorporated city in the State of California, the money so appropriated to be designated as a Special Urgent Necessity Fund. This fund to be under the jurisdiction of the Supervisors of the respective cities and counties, and is to be used solely for the purpose of providing work upon public works and ways for destitute American citizens during the winter months. Relief work to be solely granted after proper investigation shall have established the necessity of the applicant. Our delegates are also instructed to request that any person availing himself of this work, who shall be subsequently proven to be the possessor of any other tangible means of existence, provision shall be made for his adequate punishment. I have the honor to subscribe myself,

WM. R. McLAUGHLIN,
Recording Secretary Unemployed.

OFFICE OF THE CLERK OF THE BOARD OF SUPERVISORS,
SAN FRANCISCO, February 10, 1891.

I, John A. Russell, Clerk of the Board of Supervisors of the City and County of San Francisco, do hereby certify that the following is a true copy of a portion of the report of the Finance Committee of said Board of Supervisors, presented in open session of said Board, on the evening of Monday, February 9, 1891. As the same appears of record in this office.

In witness whereof, I hereunto place my hand, having no seal of office, this tenth day of February, A. D. 1891.

JNO. A. RUSSELL, Clerk.
By W. T. PATTERSON, Deputy.

REPORT FINANCE AND AUDITING COMMITTEE, BOARD OF SUPERVISORS.

CITY AND COUNTY OF SAN FRANCISCO, February 9, 1891.

Excerpt No. 3:

The communication from the Pacific Coast Laborers' Union, submitting resolutions for the appropriation of fifty thousand dollars in the next tax levy, to be used for the benefit of the unemployed laborers during the coming winter months; also, the petition of the

committee of a mass meeting of the unemployed, requesting favorable consideration of the petition of the Pacific Coast Laborers' Union for the establishment of a Special Urgent Necessity Fund of fifty thousand dollars for the alleviation of the deplorable condition of the great number of those who are living in enforced idleness; also, a communication from Messrs. Willey and McLaughlin (addressed to your committee), representing the Pacific Coast Laborers' Union, in reference to a petition from said Union, and requesting that action be taken thereon to relieve the unemployed laborers. Your committee also recommend be placed on file.

Your committee are in sympathy with all poor deserving persons who desire and seek employment, but meet with no success. It appears that the unemployed naturally come to the city, and that the greatest number of that class are from the counties of the State.

On the representations made it appears to be reasonable that if relief in the way of work is to be provided to tide over periods when there will not be sufficient employment for all, the State should make provision, by an appropriation, to enable laboring men to obtain the means of subsistence by labor on the public works and ways. Your committee, although in favor of some action on the part of the State to ameliorate the condition of the laboring men in want of employment, are not in favor of any special expenditure for this purpose by the taxpayers of this city and county, who now contribute largely, both privately and publicly, to the assistance of the poor and distressed.

(Signed:) L. R. ELLERT.
JAMES W. BURLING.
D. B. JACKSON.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, February 17, 1891.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Assembly Joint Resolution No. 3—Relative to immigration—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Joint Resolution No. 10—Relative to the fostering of American shipping—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Joint Resolution No. 14—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. H. WILLIAMS, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 17, 1891.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 484—An Act to provide for the payment to Wm. Carey Jones, out of the moneys heretofore appropriated for the compilation of a State series of school text-books, for his services in compiling the elementary book on Civil Government for the State series of school text-books, as provided in an Act approved March 19, 1889, and in accordance with an agreement made with said Jones by C. W. Childs, as a committee of the State Board of Education, to whom said matter was referred—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DENISON, Chairman.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, February 17, 1891.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bill has been correctly enrolled:

Senate Bill No. 209—An Act to appropriate moneys to pay the claim of George Fetherstone for services rendered in the office of the Treasurer of the State—and have this day delivered the same to the Governor.

RAGSDALE, Chairman.

PRESENTATION OF PETITION—(OUT OF ORDER).

By Senator McComas, with the request that it be referred to the Committee on Finance, and be printed in the Journal.

So ordered.

WARNER'S RETREAT, UNIVERSITY POST OFFICE,
LOS ANGELES COUNTY, CAL., February 12, 1891.

Senators and Members of the Assembly of the Legislature of California:

GENTLEMEN: I learn from the papers of this morning that by final decree of the Supreme Court, Don Pio Pico, a former Governor of California, has been reduced to absolute penury.

He is upwards of ninety years of age, and has not a child upon which to lean for aid or comfort, and no relatives from whom much assistance can be expected. I have been intimately acquainted with Mr. Pico for the past fifty-five years, and have never known aught of him to warrant the aspersions of his acts and character which he has for many years suffered by imputations, both from the Courts and the press of this State.

I believe that a liberal pension to him from the State would both now and hereafter be creditable to the State, and meet with the approbation of your immediate constituents and the people of California.

Very respectfully,

J. J. WARNER.

SPECIAL FILE—(RESUMED).

Senator Dray moved that Senate Constitutional Amendment No. 5 be passed on file.

So ordered.

SENATE CONSTITUTIONAL AMENDMENT No. 14.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section eight of article eleven thereof, relative to the framing and adoption of charters by cities containing more than three thousand five hundred inhabitants.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the fifth day of January, A. D. eighteen hundred and ninety-one, two thirds of all the members elected to each House concurring, hereby proposes that section eight of article eleven of the Constitution of said State be amended so as to read as follows:

Section 8. Any city containing a population of more than three thousand five hundred inhabitants may frame a charter for its own government, consistent with and subject to the Constitution and laws of this State, by causing a Board of fifteen freeholders, who shall have been for at least five years qualified electors thereof, to be elected by the qualified voters of said city at any general or special election, whose duty it shall be, within ninety days after such election, to prepare and propose a charter for such city, which shall be signed in duplicate by the members of such Board, or a majority of them, and returned, one copy to the Mayor thereof, or other chief executive officer of such city, and the other to the Recorder of the county. Such proposed charter shall then be published in two daily newspapers of general circulation in such city for at least twenty days, and the first publication shall be made within twenty days after the completion of the charter; *provided*, that in cities containing a population of not more than ten thousand inhabitants such proposed charter shall be published in one such daily newspaper; and within not less than thirty days after such publication it shall be submitted to the qualified electors of said city at a general or special election, and if a majority of such qualified electors voting thereat shall ratify the same, it shall thereafter be submitted to the Legislature for its approval or rejection as a whole, without power of alteration or amendment. Such approval may be made by concurrent resolution, and if approved by a majority vote of the members elected to each House, it shall become the charter of such city, or if such city be consolidated with a county, then of such city and county, and shall become the organic law thereof, and supersede any existing charter and all amendments thereof, and all laws inconsistent with such charter. A copy of such charter, certified by the Mayor, or chief executive officer, and authenticated by the seal of such city, setting forth the submission of such charter to the electors, and its ratification by them, shall, after the approval of such charter by the Legislature, be made in duplicate and deposited, one in the office of the Secretary of State, and the other, after being recorded in said Recorder's office, shall be deposited in the archives of the city, and thereafter all Courts shall take judicial notice of said charter. The charter, so ratified, may be amended at intervals of not less than two years by proposals therefor, submitted by the legislative authority of the city to the qualified electors thereof, at a general or special election held at least forty days after the publication of such proposals for twenty days in a daily newspaper of general circulation in such city, and ratified by at least three fifths of the qualified electors voting thereat, and approved by the Legislature, as herein provided for the approval of the charter. In submitting any such charter, or amendments thereto, any alternative article or proposition may be presented for the choice of the voters, and may be voted on separately without prejudice to others.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, De Long, Denison, Dray, Fraser, Goucher, Hamill, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—None.

SENATE CONSTITUTIONAL AMENDMENT No. 17.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section seven of article one thereof, relative to juries in civil and criminal actions in Justice's and Police Courts.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the fifth day of January, A. D. eighteen hundred and ninety-one, two thirds of all the members of each House concurring, hereby proposes that section seven of article one of the Constitution of the State of California be amended to read as follows:

Section 7. The right of trial by jury shall be secured to all, and remain inviolate; but in civil actions, three fourths of the jury may render a verdict. A trial by jury may be waived in all criminal cases not amounting to felony, by the consent of both parties, expressed in open Court, and in civil actions by the consent of the parties, signified in such manner as may be prescribed by law. In civil actions in the Superior Courts, the jury may consist of twelve, or any number less than twelve, upon which the parties may agree in open Court. In civil actions, and in all cases of misdemeanor, triable in Justice's and Police Courts, the jury may consist of six persons, or any number less than six, upon which the parties may agree in open Court, three fourths of whom may render a verdict.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

Senator Heacock moved that Senate Constitutional Amendment No. 8 be passed on file.

So ordered.

Senator Hamill moved that Senate Bill No. 274 be passed on file.

So ordered.

Senator Preston moved that Senate Constitutional Amendment No. 19 be passed on file.

So ordered.

On motion of Senator Fraser, substitute for Senate Bills Nos. 53, 193, and 280 was passed on file.

On motion of Senator Carpenter, Senate Bill No. 549 was passed on file.

Substitute for Senate Bill No. 388 was passed on file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CONSTITUTIONAL AMENDMENTS AND BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, February 17, 1891.

MR. PRESIDENT: Your Committee on Constitutional Amendments and Banks and Banking, to whom was referred Senate Constitutional Amendment No. 1—Relating to the taxation of mortgages and deeds of trust—have had the same under consideration, and respectfully report the same back without recommendation.

CRANDALL, Chairman.

SPECIAL FILE—(RESUMED).

On motion of Senator Voorhies, Senate Bill No. 408 was passed on file.

RECESS.

At twelve o'clock and thirty minutes P. M., the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Fraser, President pro tem. of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denson, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

SUSPENSION OF THE RULES.

On motion of Senator Mead, the rules were suspended for the consideration of Senate Joint Resolution No. 20.

On motion of Senator Mead, the following Assembly message, touching the subject under consideration, was taken up and read:

LEAVE OF ABSENCE.

The Committee on City, City and County, and Town Governments was granted leave of absence for committee work.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended and passed as amended Senate Bill No. 351—An Act making an appropriation to pay the deficiency in the appropriation for the office of Secretary of State, and for the purchase of supplies and furniture, and for making necessary repairs in the several offices of the State Capitol.

Also: Adopted Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to section thirty-four of article four of the Constitution of the State of California.

Also: Adopted Assembly Joint Resolution No. 16—Relative to the examination and allotment of the lands of the Round Valley Indian Reservation.

Also: Adopted Senate Joint Resolution No. 19—Relative to reinstating troops at Fort Bidwell, California.

H. A. MASON, Chief Clerk,
By F. W. WHITMORE, Assistant.

Senator Dray moved that the Senate concur in the Assembly amendments to Senate Bill No. 351.

Whereupon, the following, Assembly Amendment No. 1, to the bill, was read and adopted:

Amend by striking out the title and inserting the following title: "An Act making an appropriation to provide for a deficiency in the appropriation for repairs to State Capitol and furniture and purchase of carpets, for the forty-second fiscal year."

On motion of Senator Dray, Assembly Amendment No. 2, as follows:

Amend by striking out section one and inserting in lieu thereof the following:

SECTION 1. The sum of ten thousand dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to pay the deficiency in the appropriation for repairs to State Capitol and furniture, for the forty-second fiscal year.

Was concurred in, upon roll call, by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—Mr. Goucher—1.

Bill ordered reëngrossed, and the Secretary instructed to notify the Assembly of the Senate's concurrence in its amendments to the bill.

Assembly Constitutional Amendment No. 5 was referred to Committee on Constitutional Amendments.

MOTIONS.

On motion of Senator Dray, Assembly Joint Resolution No. 16 was substituted for Senate Joint Resolution No. 20.

Senator Mead moved the adoption of Assembly Joint Resolution No. 16.

ASSEMBLY JOINT RESOLUTION No. 16.

Joint resolution relative to the reserving a reasonable amount of the grazing land of the Round Valley Indian Reservation, for the use of the Indians of said Reservation.

Resolved by the Assembly of the State of California, the Senate concurring, That whereas, the Congress of the United States has passed a law at the present session of Congress, providing for the allotment in severalty of the valley land to the Indians of the Round Valley Indian Reservation, in Mendocino County, California, and providing for the reserving of a reasonable amount of the grazing lands for the use of said Indians, amounting to twelve or fifteen thousand acres, or thereabouts, and providing for the appointment of a Commission for the faithful execution of the provisions of said Act; and whereas, said Commission, in violation of the provisions of said Act, intend to reserve and set aside an unreasonable amount of the grazing lands of said reservation, and a very much larger amount than is necessary for the use of said Indians; and whereas, the Indians have a large body of fine farming land, one half or more of which they do not use, and as the Indians are rapidly decreasing in number, and they themselves have emphatically expressed a determination not to settle on lands outside of the valley, and desire only a small portion of the grazing lands reserved; and whereas, the reserving of the large and unreasonable amount of the grazing lands, as contemplated by the Commission, would be greatly in excess of what is actually required, and would be disastrous to the community, and against the interests of the county and the State at large; now, therefore, be it

Resolved, That the people of the State of California direct their Senators and request their Representatives in Congress to wait upon the President of the United States and the Secretary of the Interior, and protest against the reserving, for the Indians of the Round Valley Indian Reservation at Mendocino County, California, more than twelve or fifteen thousand acres of the grazing land in addition to the valley land of said reservation; be it further

Resolved, That this joint resolution be communicated by the Governor, by telegraph, to the Senators and Representatives of California at Washington.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—27.
NOES—Mr. Dray—1.

Senate Joint Resolution No. 19 was ordered to enrollment.

SPECIAL ORDER—GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 278 passed on file.

Senate Bill No. 214 passed on file.

Senate Bill No. 256, on motion of Senator Goucher, was passed on file temporarily.

Senate Bill No. 268 passed on file.
Senate Bill No. 115 passed on file.
Senate Bill No. 34 passed on file.
Senate Bill No. 90 passed on file temporarily.
Committee substitute for Senate Bill No. 92 passed on file temporarily.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

SAN FRANCISCO DELEGATION.

SENATE CHAMBER, SACRAMENTO, February 17, 1891.

MR. PRESIDENT: The San Francisco Delegation, to whom was referred Senate Bill No. 578—An Act for the relief of Barnaby Dougherty—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAHER, Chairman.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 151—An Act amendatory of an Act entitled an Act to amend an Act entitled "An Act to protect and promote the horticultural interests of the State," approved March 14, 1881, approved March 19, 1889.

Bill read third time.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 17, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 615—An Act authorizing the Governor of the State of California to offer a reward for the arrest and conviction of party or parties who murdered Mrs. John Greenwood, in Napa County, on the evening of February 9, 1891, and making an appropriation to pay the same.

Also: Senate Bill No. 626—An Act making an appropriation for the contingent expenses of the Senate for the twenty-ninth session of the Legislature.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

On motion of Senator W. H. Williams, messages from the Governor were taken up.

MESSAGE FROM THE GOVERNOR.

The following was then read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 17, 1891.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 615 and 626.

H. H. MARKHAM, Governor.

THIRD READING OF BILLS—(RESUMED).

The roll was then called, and Senate Bill No. 151 was finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Mahoney, McComas, Mead, Ragsdale, Shippee, Streeter, Voorhies, Williams (Wm. H.), and Williams (G. H.)—23.

NOES—Mr. McGowan—1.

Title read and approved.

Senator Dray moved that Senate Bill No. 214, passed on file, be now taken up, and that Senator Banks be appointed a committee of one to make the following amendment:

Amend last amended Senate Bill No. 214, as below:
Amend by striking out of section one, line four, the words "fifteenth day of June and the fifteenth day of August," and inserting the following: "thirty-first day of July and the thirty-first day of September."

So ordered.

Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish and game.

REPORT OF COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 17, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 214, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

BANKS, Committee.

On motion of Senator Dray, the report of the committee of one was adopted.

Bill as amended ordered printed and to engrossment.

Assembly Bill No. 308 passed on file temporarily.

Senate Bill No. 342 passed on file.

Senate Bill No. 51—An Act to amend an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, and to authorize the owners of lots in such cemeteries to transfer them by deed.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, and Williams (Wm. H.)—23.
NOES—None.

Title read and approved.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 17, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 576—An Act to amend section one hundred and eighty-two of the Penal Code, relating to conspiracy—respectfully report the same back, and recommend that it do pass.

SPRAGUE, Chairman.

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, February 17, 1891.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Senate Joint Resolution No. 17—Relative to the mining industry in California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHIES, Chairman.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 71—An Act prescribing the competency and for the protection of witnesses testifying as to crimes against the elective franchise, to be added as a new section under title four of the Penal Code of the State of California, and to constitute section sixty-four of said Penal Code.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ragsdale, Shippee, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—Messrs. Preston and Voorhies—2.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Goucher:

Resolved, That it is the judgment of the Senate that when a bill comes from the Assembly and a duplicate or a substantial duplicate thereof is upon the Senate file, the Assembly Bill, if substituted for its duplicate or substantial duplicate on the Senate file, shall be read a number of times equal to that already given the bill for which such Assembly Bill is substituted.

On motion of Senator Goucher, the consideration of the same was made a special order for to-morrow, immediately after the reading of the Journal.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 87—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to chapter eight, title thirteen, part one, one section, numbered five hundred and thirty-eight, relating to the punishment of fortune telling.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Crandall, Dray, Everett, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Shippee, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—Messrs. Carpenter and Denison—2.

Title read and approved.

Senate Bill No. 119 passed on file.

Senate Bill No. 120, on motion of Senator McGowan, was ordered reëngrossed, for correction, and to retain its place on file.

On motion of Senator Ostrom, substitute for Senate Bills Nos. 8, 57, 123, and 369 was made a special order for to-morrow, at three o'clock and thirty minutes P. M.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 17, 1891.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 593—Relative to an Act entitled an Act to authorize the State Prison Directors of the State of California to employ any unemployed prisoners to construct roads to the State Prison at San Quentin—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PRESTON, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 17, 1891.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 503—have had the same under consideration, and respectfully report the same back without recommendation.

DE LONG, Chairman.

THIRD READING OF BILLS—(RESUMED).

Substitute for Senate Bill No. 169 passed on file.

Senate Bill No. 167—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, and to add a new section thereto, relating to train wrecking and the punishment thereof.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Heacock, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, and Williams (Wm. H.)—24.
NOES—None.

Title read and approved.

Senator McGowan moved to take up Senate Bill No. 119 and refer to committee of one, consisting of Senator Goucher, with instructions to amend as follows:

Amend by inserting after the words "section one" the words "section one thousand two hundred and one of an Act entitled 'An Act to establish a Code of Civil Procedure' is hereby amended to read as follows: Section one thousand two hundred and one."

So ordered.

Senate Bill No. 119—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

REPORT OF COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 17, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 119, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

GOUCHER, Committee.

Report of committee of one adopted.

Bill, as amended, ordered printed and engrossed.

Senate Bill No. 478—An Act making an appropriation to pay the Assistant Journal Clerks of the Senate (twenty-sixth session of the Legislature) for completing the Journal of the Senate.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Heacock, Maher, McGowan, Mead, Ostrom, Shippee, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—24.
NOES—None.

Title read and approved.

Senate Bill No. 267 passed on file.

Senate Bill No. 287 passed on file.

SECOND READING OF BILLS.

Senate Bill No 58 was passed on file.

Senator Maher moved that Senate Bill No. 90 and substitute for Senate Bill No. 92, passed on third reading file, be now taken up.

So ordered.

THIRD READING OF BILLS—(OUT OF ORDER).

Senate Bill No. 90—An Act to amend an Act entitled "An Act to amend section six of an Act entitled 'An Act concerning the water-front of the City and County of San Francisco,' approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners," approved March 17, 1880.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Maher, McGowan, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—None.

Title read and approved.

Committee Substitute for Senate Bill No. 92—An Act to provide penalties for failure to pay tolls by false returns, or otherwise, to any Board of State Harbor Commissioners of the State of California.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—None.

Title read and approved.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 135—An Act to amend sections one thousand three hundred and five, one thousand three hundred and seventy-three, one thousand five hundred and fifty-two, one thousand six hundred and thirty-three, and one thousand six hundred and thirty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to estates of deceased persons.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 61—An Act to provide for the better discovery of assessable personal property, to aid Assessors and Boards of Equalization in the performance of their duties, and to require insurance companies to make annual reports of personal property insured.

The committee amendment, "strike out all of section seven," was submitted and adopted.

Bill read second time, ordered printed, engrossed, and on file for third reading.

On motion of Senator De Long, Senate Bill No. 40 was passed on file.

ADJOURNMENT.

Senator Maher moved that the Senate do now adjourn.

Ayes and noes demanded by Senators Ostrom, Berry, and Crandall.

The roll was called, with the following result:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Denison, Dray, Everett, Fraser, Goucher, Heacock, Maher, McComas, Mead, Ragsdale, Streeter, and Williams (Geo. H.)—16.
NOES—Messrs. Berry, Britt, Carpenter, Crandall, De Long, Hamill, McGowan, Ostrom, Preston, Shippee, Voorhies, and Williams (Wm. H.)—12.

Whereupon the Senate, at four o'clock and thirty-five minutes P. M., was declared adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 18, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Heacock moved that further reading of the Journal be dispensed with.

So ordered.

Senator Heacock moved that the Journal of February 16, 1891, be approved.

So ordered.

LEAVE OF ABSENCE.

Senator Simpson asked leave of absence for Senator Campbell of Siskiyou, on account of sickness.

Granted.

Senator Ostrom asked leave of absence for Senator Wilson, on account of sickness.

Granted.

DECISION BY THE CHAIR.

The Chair submitted the following ruling, withheld on yesterday, relating to Assembly Bills which may be substituted for Senate Bills:

That all Assembly Bills substituted for Senate Bills must be read once on three several days, except in urgency cases, where the constitutional provisions are temporarily suspended.

Senator Goucher appealed from the decision of the Chair.

On the question, "Shall the decision of the Chair stand as the decision of the Senate?" the roll was called, and the Chair sustained by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Dargie, Denison, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—Mr. Crandall—1.

As the decision rendered by the Chair covered fully the resolution of Senator Goucher set for consideration at this hour, the latter moved that the special order, relative to the readings of Assembly Bills substituted for Senate Bills, be indefinitely postponed.

So ordered.

REPORT OF STANDING COMMITTEE.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 17, 1891.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Assembly Bills Nos. 114 and 116 -have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended by your committee.

Also: Assembly Bill No. 142, and Senate Bills Nos. 623, 629, and 552—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

DARGIE, Chairman.

Senator Dargie moved that Assembly Bills Nos. 114, 116, and 142 be substituted for Senate Bills Nos. 47, 2, and 16, and that the substituted bills be read first time.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 116—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity.

Bill read first time.

Assembly Bill No. 114—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town.

Bill read first time.

Assembly Bill No. 142—An Act to amend section four hundred and ninety-nine of the Civil Code of California, relative to the authority

to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway, operated under different management, to use parts of the same streets and tracks.

Bill read first time.

INTRODUCTION OF BILLS.

Bills were introduced, read by title, and referred to committees, as follows:

By Senator G. H. Williams: Senate Bill No. 641—An Act to add a new section to the Political Code, to be numbered two thousand five hundred and fifty-five, relating to the leasing of wharves, docks, and landings under control of the Harbor Commissioners.

Referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 642—An Act to add a new section to the Penal Code, to be numbered section six hundred and fifty-three and one half, relating to punishment for the violation of the provisions of section two thousand five hundred and fifty-five of the Political Code.

Referred to Committee on Judiciary.

MOTION.

By Senator Heacock:

In pursuance of notice given on yesterday, I now move that Rule 24 be changed by adding at the end thereof the following:

"And no Senator shall speak longer than five minutes at any one time upon any question without the unanimous consent of the Senate."

Referred to Committee on Rules.

SPECIAL FILE.

Assembly Bill No. 138—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations, and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section eight, article eleven, of the Constitution.

Bill read second time, and ordered on file for third reading.

SENATE CONSTITUTIONAL AMENDMENT No. 3.

A resolution to propose an amendment to section nine of article one of the Constitution of California, relating to the freedom of speech and of the press.

Resolved, That the Legislature of the State of California, at its regular session, commencing on the fifth day of January, A. D. eighteen hundred and ninety-one, two thirds of all the members elected to each of the two Houses of said Legislature voting in favor thereof, hereby proposes that section nine of article one of the Constitution of said State be amended so as to read as follows:

9. Every citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right. No law shall be passed to restrain or abridge the liberty of speech or of the press; and no Court, Judge, or judicial officer shall, upon any pretext, punish any person for any speech, statement, or publication, not made in the immediate presence of a Court while in session, and actually interfering with its proceedings, except for criminal libel, after conviction thereof by a jury, as hereinafter provided. In all criminal prosecutions for libels, the truth may be given in evidence to the jury; and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the fact. Indictments found, or information laid, for publications in newspapers shall be tried in the county where such newspapers have their publication office, or in the county where the party alleged to be libeled resided at the time of the alleged publication, unless the place of trial shall be changed for good cause.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.
NOES—Messrs. Carpenter and Crandall—2.

Senator Goucher moved that Senate Constitutional Amendment No. 3 be immediately transmitted to the Assembly.

So ordered.

Senate Constitutional Amendments Nos. 5 and 8 passed on file.

Senate Bill No. 274 passed on file.

On motion of Senator Preston, Senate Constitutional Amendment No. 19 was passed on file.

INTRODUCTION OF BILL.

By Senator Heacock: Senate Bill No. 643—An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, and all Acts amendatory thereof.

MOTION.

Senator Heacock moved that Senate Bill No. 643 be substituted for substitutes for Senate Bills Nos. 53, 193, and 280, and Senate Bill No. 549, and that it be read first time, and take the place on file of substitutes for Senate Bills Nos. 53, 193, and 280, and Senate Bill No. 549, which shall be dropped from the file.

So ordered.

Senate Bill No. 643 read first time.

SPECIAL FILE—(RESUMED).

Senator Goucher moved that the substitute for Senate Bill No. 388 be passed, and retain its place on file.

So ordered.

Senate Bill No. 408 passed on file.

Senator Sprague moved that the consideration of Senator Berry's notice to reconsider the vote by which Senate Bill No. 480 was passed yesterday, be now taken up.

The roll was called, and the motion adopted by the following vote:

AYES—Messrs. Banks, Broderick, Byrnes, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Preston, Ragsdale, Shippee, Sprague, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H)—24.
NOES—Messrs. Bailey, Berry, Britt, Ostrom, and Simpson—5.

Senator Sprague moved that the bill be now taken up.

Senator Crandall moved as an amendment, that the reconsideration of the vote by which Senate Bill No. 480 was finally passed, be indefinitely postponed.

Senator Sprague accepted the amendment, which was adopted.

Senator Dray moved that Senate Bill No. 124 be referred to Judiciary Committee, with instructions to report back to-morrow, and that it retain its place on file.

So ordered.

Senator McGowan asked unanimous consent to have Senate Bill No. 117 replaced from unfinished business file back to third reading file.

So ordered.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 106—An Act appropriating money to pay the expenses of maintaining an exhibit of the products of the State of California at the World's Columbian Exposition, to be held in Chicago in 1893, and to provide for Commissioners thereof.

Senator Crandall moved to amend section three, line one, by striking out the word "three," and inserting in lieu thereof the word "two."

Senator Mead offered an amendment to the amendment that the word "one" be inserted instead of "two."

Amendment of Senator Mead lost.

On Senator Crandall's amendment, Senators Crandall, Welch, and Fraser demanded the ayes and noes.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Berry, Britt, Crandall, Dray, Fraser, Goucher, Harp, McGowan, Mead, Ostrom, Voorhies, and Welch—12.

NOES—Messrs. Bailey, Banks, Broderick, Byrnes, Carpenter, Dargie, De Long, Denison, Everett, Hamill, Heacock, Maher, Mahoney, McComas, Preston, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—20.

Senator Carpenter moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Senator De Long moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

Senator Crandall submitted the following amendment:

By striking out of section three, line one, the words "three hundred," and inserting in lieu thereof the words "two hundred and fifty."

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Berry, Britt, Crandall, Dray, Fraser, Goucher, Harp, McGowan, Mead, Ostrom, Preston, Ragsdale, Voorhies, Welch, and Williams (Geo. H.)—15.

NOES—Messrs. Bailey, Banks, Broderick, Byrnes, Carpenter, Dargie, De Long, Denison, Everett, Hamill, Heacock, Maher, Mahoney, McComas, Shippee, Simpson, Streeter, and Williams (Wm. H.)—18.

Senator De Long moved to amend as follows:

Insert on page two, section three, line five, after the words "ninety-three," the following words: "one half to be expended in the forty-third fiscal year and one half to be expended during the forty-fourth fiscal year."

Adopted.

RECESS.

At twelve o'clock and thirty minutes P. M. the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Byrnes, Broderick, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

CONSIDERATION OF ASSEMBLY BILL No. 106—(RESUMED).

Senator Heacock moved to amend as follows:

At the end of section three, add:

The said appropriation of three hundred thousand dollars is hereby made upon the express condition (and not otherwise) that one or more of the transcontinental railroad companies doing business in this State, and the railroad company or companies connecting therewith, so as to make an all-through line to Chicago, shall, within six months after the approval of this Act, consent, and agree, and contract with the said Commissioners to receive at such terminal points in this State as may be agreed upon by and between such railroad companies and the said Commissioners, and transport and deliver to said Commissioners, in the city of Chicago, all exhibits of the products of the State of California for the said World's Fair Columbian Exposition, at a cost for freight and charges of transportation of not exceeding two thirds of the usual through rates charged for transporting like products between the points so agreed upon and the city of Chicago aforesaid.

Ayes and noes were demanded by Senators Heacock, Berry, and Goucher.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Berry, Britt, Crandall, Hamill, Heacock, McComas, Mead, Ostrom, and Preston—9.

NOES—Messrs. Bailey, Banks, Broderick, Byrnes, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Maher, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—22.

Senator Berry moved to strike out all of section four.

Lost.

Senator Mead moved to amend by striking out of section two all after the word "services," in line one, and inserting in lieu thereof the following: "nor personal expenses."

Ayes and noes were demanded by Senators Berry, Mead, and Maher.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Berry, Harp, McGowan, Mead, Ostrom, and Williams (Geo. H.)—6.

NOES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Carpenter, Dargie, De Long, Denison, Everett, Fraser, Hamill, Heacock, Maher, Mahoney, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (Wm. H.)—24.

Senator Mead moved to amend by striking out of section one, line two, the word "seven," and insert in lieu thereof the word "three."

The ayes and noes were demanded by Senators Voorhies, Ostrom, and Broderick.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Banks, Berry, Britt, Crandall, Fraser, Goucher, Harp, Maher, McGowan, Mead, Ostrom, Voorhies, Welch, and Williams (Geo. H.)—14.

NOES—Messrs. Bailey, Broderick, Byrnes, Carpenter, Dargie, De Long, Denison, Dray, Everett, Hamill, Heacock, Mahoney, McComas, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, and Williams (Wm. H.)—20.

Bill read second time, and ordered on file for third reading.

Senator Hamill moved that Senate Bill No. 64 be made a special order for three o'clock and thirty minutes P. M. to-morrow.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 18, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 61—An Act to provide for the better discovery of assessable personal property, to aid Assessors and Boards of Equalization in the performance of their duties, and to require insurance companies to make annual reports of personal property insured.

Also: Senate Bill No. 119—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Also: Senate Bill No. 135—An Act to amend sections one thousand three hundred and five, one thousand three hundred and seventy-three, one thousand five hundred and fifty-two, one thousand six hundred and thirty-three, and one thousand six hundred and thirty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to estates of deceased persons.

Also: Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish and game.

Also: Senate Bill No. 120—An Act to amend section one hundred and seventy-two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the husband's control and disposition of the community property.

Also: Senate Bill No. 351—An Act making an appropriation to provide for a deficiency in the appropriation for repairs to State Capitol and furniture, and purchase of carpets, for the forty-second fiscal year.

Also: Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section eight of article eleven thereof, relative to the framing and adoption of charters by cities containing more than three thousand five hundred inhabitants.

Also: Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section seven of article one thereof, relative to juries in civil and criminal actions in Justices' and Police Courts.

RAGSDALE, Chairman.

Senate Constitutional Amendment No. 20 passed on file.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 7.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section eighteen of article eleven thereof, relative to the increasing of indebtedness or liability by any county, city, town, township, Board of Education, or school district.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on the fifth day of January, A. D. eighteen hundred and ninety-one, two thirds of all the members elected to each House concurring, hereby propose that section eighteen of article eleven of the Constitution of said State be amended so as to read as follows:

SECTION 18. No county, city, town, township, Board of Education, or school district shall incur any indebtedness or liability in any manner, or for any purpose, exceeding in any year the income and revenue provided for it for such year, without the assent of two thirds of the qualified electors thereof voting at an election to be held for that purpose,

nor unless, before or at the time of incurring such indebtedness, provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same. Any indebtedness or liability incurred contrary to this provision shall be void.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Ostrom, Preston, Simpson, Streeter, Voorhies, Welch, and Williams (Wm. H.)—27.
NOES—None.

Senate Constitutional Amendment No. 1—Constitutional amendment to propose to the people of the State an amendment to the Constitution of the State, relative to the taxation of mortgages and deeds of trust.

The following amendment was submitted:

Senator Heacock moved to amend by inserting the following:

After the word "that," in line five, section one, insert the words "fruit trees and vines."

Ayes and noes were demanded by Senators De Long, Broderick, and Heacock.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Campbell of Solano, Carpenter, Crandall, De Long, Denison, Goucher, Hamill, Harp, Heacock, Mahoney, McComas, Preston, Ragsdale, Shippee, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—17.
NOES—Messrs. Banks, Berry, Britt, Broderick, Dray, Everett, Fraser, Maher, McGowan, Mead, Ostrom, Simpson, and Welch—13.

Senator Hamill submitted the following amendment:

By striking out of section one, line five, the words "mortgages, trust deeds."

Senator Carpenter asked unanimous consent to have further consideration of Senate Constitutional Amendment No. 1 postponed temporarily.

There being no objections, it was so ordered.

RESOLUTION—(OUT OF ORDER).

By Senator Williams:

Resolved, That the Controller be and he is hereby requested and directed to draw his warrants on Friday, February 20, 1891, on the State Treasurer, for the salaries due the Senators, officers, and attachés of the Senate, for the week ending Saturday, February 21, 1891.

Adopted.

President pro tem. Fraser in the chair.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Senator Everett: Senate Bill No. 644—An Act authorizing the Attorney-General to settle and dismiss a certain action entitled "The People of the State of California ex rel. John P. Dunn, State Comptroller, plaintiff, vs. Frank W. Gross, John Martin, and John Landers, defendants," wherein judgment was obtained against defendants in the Superior

Court of the City and County of San Francisco, on the thirteenth day of December, 1889, which action is numbered twelve thousand nine hundred and two in said Court, now on appeal to the Supreme Court, upon payment to him for the use of the State of such money as he may deem advisable to accept.

Referred to Committee on Judiciary.

Senator Carpenter asked leave to withdraw Senate Bill No. 532.

Granted.

RESOLUTION—(OUT OF ORDER).

By Senator Everett:

Resolved, That all the Senate Pages be excused on the evening of their ball, Thursday, February 19, 1891.

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, February 18, 1891.

MR. PRESIDENT: Your Committee on Elections, to whom was referred committee substitute for Senate Bills Nos. 8, 57, 123, and 369, for amendment, recommend the following amendment for section one thousand two hundred and fifty-seven:

Amend section one thousand two hundred and fifty-seven of the Political Code to read as follows:

"After the lists are thus signed, the Board must proceed to open the ballots and count and ascertain the number of votes cast for each person voted for. All the ballots must be taken out of the ballot-box, one at a time, and opened by one of the members of the Board, and as so taken out, the straight ballots must be placed in separate piles, according to their respective ticket headings, vignettes, or other designations, in manner as follows, to wit: all the straight ballots of each such party must be placed in a separate pile, and straight undesignated ballots must be placed in a separate pile in a like manner. When all the straight ballots shall have been so placed in piles, the number of ballots in each such pile must be carefully, correctly, and distinctly counted aloud by a member of the Board, in presence of the Board and of the bystanders, whereupon an official record must be made by each clerk of the total number of ballots in each such pile. Immediately thereafter all straight ballots, according to their respective headings, vignettes, or other designations shall be distinctly read by such clerks, and the official total of such pile so made by clerks shall be read in connection with the office for which he is a candidate, and said total shall be so credited to such candidate. Immediately thereafter all straight ballots must be by one of the Judges strung upon one string in such a manner that all the straight ballots of each party shall be in direct succession and immediate proximity upon said string, and all such straight ballots thereupon be securely bound together by said string and replaced in the ballot-box.

"All the ballots, other than straight ballots, of each separate political or other party, must be placed in a pile. When all the ballots shall have been so placed in a pile, the number of ballots in such pile must be carefully, correctly, and distinctly counted aloud by a member of the Board in the presence of the Board and of the bystanders, whereupon an official record must be made by each clerk of the total number of ballots in such pile. Immediately thereafter all the ballots other than straight ballots must be by one of the Judges strung upon one string in such a manner that all the ballots other than straight ballots shall be in direct succession and immediate proximity upon said string; and all such ballots other than straight ballots shall thereupon be securely bound and replaced in the ballot-box. Immediately thereafter such pile of ballots other than straight ballots must be freed from such twine or other fastening without removal from the ballot-box, and such ballots must be taken out one at a time by one of the members of the Board, and the name of each person marked in the ballots as voted for shall be distinctly read in connection with the office for which he is a candidate. After the ballots other than straight ballots have been so counted, and an official record, as herebefore mentioned, made, all ballots rejected for illegality must be strung upon said string of ballots other than straight ballots; whereupon, all the ballots thus strung shall be securely bound and be replaced in the ballot-box."

McGOWAN, Chairman.

At three o'clock and forty minutes P. M. Senator Ostrom moved that the Senate take a recess for thirty minutes.

So ordered.

REASSEMBLED.

At four o'clock and ten minutes P. M. the Senate reassembled.

Hon. Thos. Fraser, President pro tem. of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Banks, Berry, Britt, Broderick, Carpenter, Crandall, Denison, Dray, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, and Williams (Geo. H.).

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Mahoney: Senate Bill No. 645—An Act to repeal an Act entitled "An Act to provide for reorganizing and better regulating the Paid Fire Department of the City and County of San Francisco," approved March 28, 1878.

Referred to Committee on Corporations.

By Senator G. H. Williams: Senate Bill No. 646—An Act regulating the payment of life insurance policies, and the payment of premiums thereon.

Referred to Committee on Corporations.

By Senator Heacock: Senate Constitutional Amendment No. 22—To propose to the people of the State an amendment to the Constitution of the State, relative to the exemption of fruit trees and vines under five years of age from taxation.

Referred to Committee on Constitutional Amendments and Banks and Banking.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, February 18, 1891.

MR. PRESIDENT: Your Committee on State Library and Rules, to which was referred the following resolution, to wit:

In pursuance of notice given on yesterday, I now move that Rule 24 be changed by adding at the end thereof the following: "And no Senator shall speak longer than five minutes at any one time upon any question, without the unanimous consent of the Senate."

Have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

McGOWAN, Chairman.

Senator McGowan moved that the consideration of the report be made a special order for to-morrow, at eleven o'clock A. M.

So ordered.

SPECIAL ORDER.

Substitute for Senate Bills Nos. 8, 57, 123, and 369—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred

and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two hundred and fifty-nine of the Political Code, and to add four new sections thereto, to be numbered one thousand two hundred and thirteen, one thousand two hundred and fourteen, one thousand two hundred and fifteen, and one thousand two hundred and sixteen, all in relation to the conduct of elections in this State.

Bill read first time.

Senator Ostrom moved the substitute be made a special order for to-morrow, immediately after the special order set for three o'clock and thirty minutes P. M., and that it be then taken up for second reading.

So ordered.

UNFINISHED BUSINESS.

Senate Bill No. 117—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service and upon the public works of the State of California, of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

Senator Everett moved that Senator McGowan be appointed a special committee of one to make the following amendment:

By inserting in section one, line three, after the word "Rebellion," the following: "Mexican War Veterans, and members of the California Pioneer Association."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 13, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 117, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

McGOWAN, Committee.

Report of special committee adopted.

THIRD READING OF BILLS.

Senate Bill No. 278—An Act to prohibit the sale of intoxicating liquors within one mile of any reform school where juveniles are confined or kept.

Bill ordered reëngrossed, for correction, and retain its place on file.

Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish and game.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Carpenter, Crandall, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher,

Mahoney, McComas, McGowan, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—None.

Title read and approved.

Senator Campbell gave notice that on to-morrow he will move to reconsider the vote by which Senate Bill No. 214 was finally passed.

Senator Goucher moved that Senate Bill No. 576 be taken from the file and rereferred to Committee on Judiciary.

The ayes and noes were demanded by Senators Sprague, McGowan, and Broderick.

The roll was called, and the motion adopted by the following vote:

AYES—Messrs. Berry, Britt, Broderick, Campbell of Solano, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Shippee, Simpson, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.
NOES—Messrs. Carpenter, Ragsdale, and Sprague—3.

Senator Campbell of Solano moved that the Judiciary Committee be instructed to report back Senate Bill No. 576, Friday morning next.

So ordered.

Senator Ragsdale moved that Senate Bill No. 256 be passed on file.

So ordered.

Senate Bill No. 268—An Act to amend section two thousand nine hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the preservation of the public health.

Bill read third time, and refused final passage by the following vote:

AYES—Messrs. Banks, Broderick, and Everett—3.
NOES—Messrs. Bailey, Berry, Britt, Campbell of Solano, Carpenter, Crandall, Dargie, Dray, Fraser, Goucher, Harp, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, and Williams (Geo. H.)—23.

ADJOURNMENT.

At five o'clock P. M., on motion of Senator Sprague, the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, February 19, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Dray moved that further reading of the Journal be dispensed with.

So ordered.

RESOLUTION.

By Senator Dray:

Resolved, That Assembly Bill No. 209 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times upon one day, and placed upon its passage.

Senator De Long moved to amend by adding thereto Senate Bills Nos. 391 and 617.

Senator Dray accepted the amendment.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—None.

Assembly Bill No. 209—An Act to authorize cities of not less than twenty-six thousand nor more than thirty thousand inhabitants, to vote upon the question of paying indebtedness incurred in the years one thousand eight hundred and eighty-nine and one thousand eight hundred and ninety.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Mahoney, McComas, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.)—30.

NOES—None.

Title read and approved.

The Secretary was instructed to forthwith inform the Assembly of the Senate's action on the bill.

Senate Bill No. 391—An Act to provide for the payment of the Controller of State's warrants which have been lost or destroyed previous to payment by the State Treasurer.

The following committee amendment was submitted:

Strike out all of section four, and insert in lieu thereof:

"Section 4. The Controller and Treasurer shall each make the proper entries on their books showing such warrants to have been lost or destroyed, and the issuance of duplicate warrants in lieu thereof."

Adopted.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 617—An Act to provide for the payment of funded indebtedness of the State of California, and to contract a funded debt for that purpose.

Bill read first time.

Senator Crandall moved to amend by striking out of section two, line four, the words "January and July," and inserting the following: "April and October."

Adopted.

The following committee amendment was submitted:

Amend section sixteen, line two, by adding the following: "for four successive weeks immediately preceding election."

Adopted.

Senator De Long moved to amend by striking out of section eight, line three, the words "New York," and inserting the words "San Francisco."

Adopted.

Senator De Long moved to amend by striking out of section four, line three, after the word "English," the following: "one in the city of New York and one in the city of Boston;" and strike out the word "four" in line two, and insert "two" in lieu of the word "four."

Adopted.

Bill read second time, ordered printed, engrossed, and on file for third reading.

RESOLUTION.

By Senator Heacock et al.:

Resolved, That Senate Bills Nos. 564, 501, 511, 584, 537, and 385, Assembly Bill No. 79, and Senate Bills Nos. 442, 324, 384, 43, and 62, Assembly Bill No. 464, Senate Bills Nos. 107, 431, 492, 413, 569, 500, 479, 326, 166, and 200, present a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that a bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times upon one day, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Mahoney, McComas, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.

NOES—Mr. Campbell of Solano—1.

CASES OF URGENCY.

Senate Bill No. 564—An Act to declare the bridge across Feather River, extending from Fifth Street, at the city of Marysville, in the county of Yuba, to the opposite bank of said river, a free bridge.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Fraser, Goucher, Hamill, Harp, Heacock, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—28.

NOES—None.

Title read and approved.

Senator Goucher in the chair.

Senate Bill No. 501—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.
NOES—None.

Title read and approved.

Senate Bill No. 511—An Act to amend sections two hundred and seventy-six and two hundred and seventy-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to the admission of attorneys and counselors at law.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

Title read and approved.

Senate Bill No. 584—An Act to amend section one thousand two hundred and forty-three of the Penal Code of the State of California, relative to the stay of the execution of the judgment in criminal cases, pending an appeal to the Supreme Court.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Carpenter, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

Title read and approved.

Senate Bill No. 537—An Act to amend section fifty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to the appellate jurisdiction of the Supreme Court.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Goucher, Hamill, Harp, Heacock, Maher, McComas, Mead, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (W. H.), and Williams (Geo. H.)—25.
NOES—None.

Title read and approved.

President Reddick in the chair.

On motion of Senator Carpenter, Senate Bill No. 385 was passed on file.

Senate Bill No. 442—An Act to amend section three and section thirteen of an Act entitled "An Act to promote drainage."

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Byrnes, Campbell of Solano, Carpenter, Dargie, Denison, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead,

Ostrom, Ragsdale, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.
NOES—None.

Title read and approved.

MOTION.

At twelve o'clock M. Senator Sprague moved that the special order set for this hour be made a special order for this day, at three o'clock and thirty minutes P. M.

So ordered.

Assembly Bill No. 79—An Act to amend section three thousand six hundred and fifty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of Assessors.

Bill read first time.

Senator Campbell of Solano moved that Senator Dargie be appointed a committee of one to amend the bill, as follows:

Insert in section one, line three, after the words "the Assessor," the following: "in counties of the second class."

So ordered.

REPORT OF COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 19, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Assembly Bill No. 79, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

DARGIE, Committee.

Report of committee adopted.

Bill read second time, ordered printed and engrossed.

Senator Goucher moved the consideration of Senate Bill No. 385, this day passed on file.

So ordered.

Senate Bill No. 385—An Act to authorize the State Board of Prison Directors to pay for certain skilled labor used in the construction of the dam and canal at the Folsom Prison, and making an appropriation therefor.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 19, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 124—An Act to amend section one hundred and three of the Code of Civil Procedure, relating to Justices' Courts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SPRAGUE, Chairman.

MOTIONS.

On motion of Senator Dray, Senate Bill No. 124 was ordered printed.

On motion of Senator Preston, the substitute bill for Senate Bills Nos. 352 and 499 was rereferred to Committee on Education and Public Morals, the same to retain its place on file.

RECESS.

At twelve o'clock and thirty minutes P. M. the Senate took a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

Senator Harp moved that Senate Bill No. 252 (No. 145 on file) be rereferred to Committee on Judiciary, for the purpose of submitting in its stead a substitute, the same to take the place of the original on file.

So ordered.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Senator Banks: Senate Bill No. 647—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887, and section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885, relating to liens of mechanics and others.

Referred to Committee on Judiciary.

REPORT OF SPECIAL COMMITTEE.

The committee of three appointed to meet a like committee of the Assembly to provide a speedy way of passing the bills which have been finally passed in either House, submitted the following joint rule of Senate and Assembly:

JOINT RULE OF SENATE AND ASSEMBLY.

On and after February 20, 1891, the Senate and Assembly shall adopt and provide a special file, upon which shall be placed in the Senate only such Assembly Bills as have passed the Assembly, and in the Assembly only such Senate Bills as have passed the Senate. Such special file shall be taken up at two o'clock P. M. each day, and be considered one hour and a half after being so taken up.

Senator De Long, Chairman of the committee, moved its adoption.

The roll was called, and the joint rule adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Dargie, De Long, Denison, Everett, Fraser, Goucher, Hamill, Harp, Heacock, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—Messrs. Campbell of Solano, Crandall, and Mahoney—3.

Senator Goucher asked unanimous consent, which was granted, to present the following:

The undersigned hereby gives notice that at the meeting of the Senate one day hereafter, he will move the following amendment to Rule 7, of the Standing Rules of the Senate, so as to strike out the words "two o'clock until three o'clock and thirty minutes P. M.," and that the following words be substituted therefor: "three o'clock and thirty minutes to five o'clock P. M."

Referred to Committee on State Library and Rules.

Senator Goucher moved the temporary suspension (until four o'clock P. M.) of Rule 7.

The roll was called, and the rule temporarily suspended by the following vote:

AYES—Messrs. Banks, Berry, Britt, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Williams (Wm. H.)—28.
NOES—Mr. Bailey—1.

CASES OF URGENCY—(RESUMED).

Senate Bill No. 324—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Senator Goucher moved to amend by striking out all of section twelve.

Adopted.

Bill ordered reprinted and to engrossment.

Senate Bill No. 384—An Act to increase the number of Judges of the Superior Court of the county of Tulare, and to provide for the appointment of an additional Judge.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Williams (Geo. H.)—28.
NOES—None.

Title read and approved

President pro tem. Fraser in the chair.

Senate Bill No. 43—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers.

MOTIONS.

At three o'clock and thirty minutes P. M. Senator Goucher moved that the special orders set for this hour be continued until the urgency cases may be disposed of.

Senator Dargie moved to amend by including in said motion that

Assembly Bills Nos. 114, 116, and 142, set for consideration at this hour, be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

Senator Goucher accepted the amendment.

There being no objection, motion as amended, was declared carried.

Senator Campbell of Solano moved a call of the Senate.

So ordered.

Senator Dargie asked leave of absence for Senator Dray on account of sickness.

Granted.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Senator Ragsdale moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

Senate Bill No. 43 read the third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Everett, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Ostrom, Ragsdale, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.) 21.

NOES—Messrs. Bailey, Carpenter, Crandall, De Long, Denison, Fraser, Heacock, Shippee, Simpson, and Sprague—10.

Senator Dargie, who would have voted "no," was paired with Senator Dray, who would have voted "aye."

Title read and approved.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 13, 1891.

MR. SPEAKER: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to pay the following bills: H. S. Crocker & Co., for postal scales, six dollars and twenty-five cents; Union Ice Co., for ice furnished, twenty-two dollars. The same to be paid out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrant for the same.

Have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

Also:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to have sofa and chairs renovated and repaired, and to purchase towel rack and comb case for the Lieutenant-Governor's room, the same to be paid out of the fund for contingent expenses of the Senate, and the Controller is hereby directed to draw his warrant for the same, at a cost not to exceed seventy-five dollars.

Have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

BYRNES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 18, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby authorized and directed to draw his

warrants in favor of the following Senators for the amounts set opposite their names, for mileage on account of Committee on Public Buildings other than Prison Buildings, for visiting the State buildings at Berkeley: Senator W. H. Williams, one hundred and eighty-two miles, eighteen dollars and twenty cents; Senator G. H. Williams, one hundred and eighty-two miles, eighteen dollars and twenty cents; Senator Jas. E. Britt, one hundred and eighty-two miles, eighteen dollars and twenty cents; the same to be paid out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

BYRNES, Chairman.

Senator Carpenter moved the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McComas, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—Mr. Hamill—1.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 18, 1891.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 605—An Act to provide pensions for teachers of public schools of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: To whom was rereferred their Substitute Bill for Senate Bills Nos. 352 and 499—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 628—An Act to amend section one thousand seven hundred and ninety-three of the Political Code of the State of California, relating to the City Board of Education, and compensation of employés—have had the same under consideration, and respectfully report the same back, with request that the author be permitted to withdraw it, as the matter has been provided for in Committee Substitute for Senate Bills Nos. 352 and 499.

On motion of Senator Crandall, the author of Senate Bill No. 628 was granted permission to withdraw said bill, in compliance with request of committee.

Also: Senate Bill No. 211—An Act to create a Board of State School Book Editors, define their duties, and provide for their compensation.

Also: Senate Bill No. 504—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to chapter seven, title nine, part one thereof, three new sections, numbered, respectively, two hundred and ninety-nine, three hundred, and three hundred and one, forbidding the exhibition, opening, or maintaining of a bull, bear, cock, or prize fight, horse race, circus, gambling house, or saloon, or any barbarous or noisy amusement; or the keeping, conducting, or exhibition of any theater, or other place of musical, theatrical, or operatic performance, where intoxicating drink is sold, given away, or used on Sunday; forbidding, also, the keeping open on that day of any store, workshop, bar, saloon, banking house, or other place of business for business purposes—have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 381—An Act to amend the Political Code, part three, title three, article one, section one thousand five hundred and twenty-one, relating to the powers and duties of the State Board of Education.

Also: Senate Bill No. 602—An Act to regulate the sale at retail of spirituous, malt, or fermented liquors, or wine, in the State of California, and to provide for the issuance of license.

Also: Senate Bill No. 624—An Act appropriating money for the erection of and maintenance and support of the Sacramento Foundling Home.

Have had the same under consideration, and respectfully report the same back without recommendation.

DENISON, Chairman.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 19, 1891.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 622—Relative to an Act entitled "An Act to amend an Act entitled 'An Act to regulate and govern the State Prisons of California,'" approved March 19, 1889—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PRESTON, Chairman.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 19, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Constitutional Amendment No. 3—Relative to freedom of speech and of the press.

Also: Senate Bill No. 351—An Act making an appropriation to provide for a deficiency in the appropriation for repairs to the State Capitol and furniture, and purchase of carpets, for the forty-second fiscal year—and have this day delivered the same to the Governor.

Also: Senate Joint Resolution No. 19—Relative to reinstating troops at Fort Bidwell, California—and have this day delivered the same to the Governor.

Also: Senate Bill No. 124—An Act to amend section one hundred and three of the Code of Civil Procedure, relating to Justices' Courts.

Also: Senate Bill No. 442—An Act to amend section three and section thirteen of an Act entitled "An Act to promote drainage."

RAGSDALE, Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, February 19, 1891.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 639—An Act to provide for the employment of destitute citizens, and making appropriations therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAHER, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 19, 1891.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 601—beg leave to report the same back, with the recommendation that it do pass.

HEACOCK, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Hamill: Senate Bill No. 648—An Act to promote silk culture in the penal, reformatory, and charitable institutions of the State of California, and to encourage sericulture throughout the State, and to provide for the expenses thereof.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Bailey: Senate Bill No. 649—An Act amendatory of and supplemental to an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such district," approved February 16, 1889.

Referred to Committee on Irrigation and Water Rights.

By Senator Maher: Senate Bill No. 650—An Act to amend section one thousand two hundred and seventy-nine of the Penal Code, relating to the qualifications of bail.

Referred to Committee on Judiciary.

Also: Senate Bill No. 651—An Act to amend section four hundred and ninety-four and section one thousand and fifty-seven of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also: Senate Bill No. 652—An Act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or other-

wise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now resident of this State, and fixing penalties and punishment for violation of this Act, and providing for deportation of criminals.

Referred to Committee on Federal Relations and Immigration.

Also: Senate Bill No. 653—An Act establishing a committee for the revision of the laws.

Referred to Committee on Judiciary.

By Senator Ostrom: Senate Bill No. 654—An Act to provide for the extermination of squirrels and gophers.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Preston: Senate Bill No. 655—An Act to provide for the publication and distribution of a State Blue Book, or Roster.

Referred to Committee on Public Printing.

By Senator Goucher (by request): Senate Bill No. 656—An Act for the preservation of the timber lands of California.

Referred to Committee on Forestry, Yosemite Valley, and Mariposa Big Tree Grove, and Fish and Game.

By Senator Sprague: Senate Bill No. 657—An Act to amend section three thousand four hundred and sixty of the Political Code of the State of California, in reference to making assessments on lands in swamp land districts.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Broderick: Senate Bill No. 658—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be known as section two thousand one hundred, relating to official publications.

Referred to Committee on City, City and County, and Town Governments.

By Senator Banks: Senate Bill No. 659—An Act to amend sections two thousand two hundred and ninety-two, two thousand two hundred and ninety-three, two thousand two hundred and ninety-four, and two thousand two hundred and ninety-six of the Political Code, relating to the State Library.

Referred to Committee on Judiciary.

By Senator Dray: Senate Bill No. 660—An Act making an appropriation to pay the deficiency in the appropriation for stationery, etc., for the Legislature and State officers for the forty-second fiscal year.

Referred to Committee on Finance.

By Senator De Long: Senate Bill No. 661—An Act relating to the transfer of moneys now in the State Treasury, in what is known and designated as Estate of Deceased Persons Fund, to the General Fund, as a loan.

Referred to Committee on Finance.

Also: Senate Bill No. 662—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General, for the forty-second fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 663—An Act making an appropriation to pay the deficiency in the appropriation for the traveling expenses of the Attorney-General, for the forty-second fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 664—An Act making an appropriation to pay the deficiency in the appropriation for expenses that may be incurred by the Attorney-General, for the fortieth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 665—An Act making an appropriation to pay the deficiency in the appropriation for the Attorney-General, for the forty-second fiscal year, for costs and expenses of suits wherein the State is a party in interest.

Referred to Committee on Finance.

By Senator Dray: Senate Bill No. 666—An Act to amend section five of an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor," approved February 26, 1885.

Referred to Committee on Education and Public Morals.

By Senator McGowan: Senate Bill No. 667—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and forty-one, relating to the settlement of accounts of deceased executors, administrators, and guardians.

Referred to Committee on Judiciary.

RECONSIDERATION.

Senator Hamill gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 43 was finally passed this day.

MOTIONS.

Senator Heacock moved that when the Senate adjourns, it do so until to-morrow, at ten o'clock A. M.

Motion carried.

Senator Goucher moved that all bills declared cases of urgency, and this day amended, be placed at the head of the special file.

The roll was called, and the motion prevailed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Mahoney, McComas, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—28.

NOES—None.

Senator Heacock moved that the remaining bills this day declared cases of urgency be considered to-morrow immediately after the reading of the Journal.

So ordered.

Senator Sprague moved that the Senate take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 547—An Act to repeal sections four hundred and forty-four, one thousand six hundred and twenty-five, one thousand six hundred and eighty-two, and one thousand six hundred and sixty-nine of the Political Code; to amend sections one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand seven hundred and seventy-one, and one thousand six hundred and ninety-six of said Code; to

abolish the grammar school course in the public schools, and the Grammar School Course Fund; and to authorize and direct the Controller of State to credit to the School Fund any balance which may stand to the credit of the said fund.

Also: Passed Assembly Bill No. 432—An Act to provide for furnishing assistants to every attorney and counselor, City Attorney, and City and County Attorney, and to each law officer, of whatever official name he may be designated, officially conducting the civil litigation of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated as officers of each city, or city and county, and establishing the compensation, and prescribing the duties of such assistants.

Also: Concurred in Senate Concurrent Resolution No. 1—Relative to transacting business between Senate and Assembly.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Assembly Bill No. 547 referred to Committee on Education and Public Morals.

Assembly Bill No. 432 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 401—An Act making an appropriation to pay the Journal Clerk of the Senate, twenty-eighth session of the Legislature, and his assistants, for completing the Journal of the Senate.

Also: Passed Assembly Bill No. 244—An Act to amend section six hundred and thirty-seven of the Penal Code of the State of California, relating to the construction and repairing of fish ladders on dams and other obstructions in the running waters of this State.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

On motion of Senator Banks, Assembly Bill No. 401 was read the first time, and substituted for Senate Bill No. 358 on file.

Assembly Bill No. 244 referred to Committee on Forestry, Yosemite Valley, and Mariposa Big Tree Grove, and Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 480—An Act to amend section one thousand three hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a married woman as administratrix of an estate of a deceased person.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Senate Bill No. 480 ordered to enrollment.

Senator Goucher moved that Senate Bill No. 282 be printed as amended, and placed on special file.

So ordered.

ADJOURNMENT.

At five o'clock and twenty minutes P. M., on motion of Senator Dray, the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, February 20, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Berry moved that further reading of the Journal be dispensed with.

So ordered.

PRESENTATION OF PETITIONS.

By Senator Ostrom: From Pescadero Grange, relative to mutual fire insurance companies.

A petition from residents of San Francisco, with one hundred and sixteen signatures, relative to the passage of a Sunday law.

By Senator Mahoney, with request that it be printed in the Journal, the following:

SACRAMENTO, CAL., February 20, 1891.

To Lieutenant-Governor Reddick, *President of the Senate:*

At a mass meeting of the unemployed, employed, and taxpayers of Sacramento, held last evening on K Street, this city, and presided over by Mr. Carl Browne, the following resolutions were submitted by him and unanimously adopted.

As the duly qualified officials of the Pacific Coast Laborers' Union, we respectfully ask in the name of the Union that these resolutions be read and spread on the minutes of the Senate.

We have the honor to subscribe ourselves,

W. M. WILLEY, President.
C. B. SEDGWICK, Secretary.

WHEREAS, There is now before the Legislature a bill known as the "Special Urgent Necessity Fund Bill," the fundamental principles of which are not only calculated to lessen taxation but to make many thousands of men and women happy and comfortable, where now is misery, starvation, and often suicide. In this, first, the lessening of expense to taxpayers now, in paying Constable fees, Court, jail, and hospital expenses, including insane asylums; to hunt down, imprison, board, etc., unfortunate American citizens who want work (we do not take cognizance of those who will not work, as the vagrant law takes care of them), to say nothing of the loss in property, such as wheat fields, barns, etc., too often merely the result of that stage of insanity produced in the brains of those whose hopes of betterment are long deferred; second, in receiving back, through the enhanced value of property in each and every place, the money spent under the provisions of this Act in local improvements; third, in decreasing the annoying and expensive scenes at the kitchen doors in city and country in relieving hunger of the famishing; therefore,

Resolved, By this mass meeting of unemployed citizens of Sacramento, that we indorse said bill and urge its passage by the Legislature, and we call upon the employed and unemployed, and other taxpayers in all cities and towns, and throughout the State, to hold meetings and indorse the same by resolutions, and forward them to the Legislature now in session.

Resolved, That copies of these resolutions be sent to the President of the Senate and the Speaker of the Assembly, to be read to the two Houses of legislation, and a copy be furnished the Governor of the State.

Resolved, That copies of these resolutions be furnished the newspapers of the State, and that they be respectfully requested to publish the same in the interest of common humanity.

MOTIONS.

Senator Mahoney moved to substitute Senate Bill No. 468 (No. 145 on file) for Senate Bill No. 235 (No. 37 on file).

Also: To substitute Senate Bill No. 288 (No. 120 on file) for Senate Bill No. 101 (No. 38 on file).

So ordered.

Senator Maher asked to withdraw Senate Bill No. 78 and to substitute Senate Bill No. 443 therefor.

Withdrawal and substitution ordered.

Senator Heacock moved that the Journals of February 17 and 18, 1891, be approved.

So ordered.

JOINT RESOLUTION.

By Senator Ostrom:

SENATE JOINT RESOLUTION No. 21.

WHEREAS, There is a bill before the Congress of the United States "providing for the extension of the time of payment of the indebtedness of the Pacific Railroads to the General Government;" and whereas, these great corporations have, through their peculiar mode of action and business management, amassed immense private fortunes from the earnings of said railroads, thereby injuring the efficiency, usefulness, and credit of said railroads, to the immediate injury and loss of the people, more particularly of this State; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That we respectfully petition the Congress of the United States not to pass the bill now before the Senate of the United States, extending the time for the payment of the Pacific Railroad debts to fifty years, at a rate of interest of two per cent, or any similar bill.

First—These bills ask for a rate of interest much less than the lowest rate now being paid by the General Government, and by passage of such law the General Government would make these railroads favored debtors to the injury of the people; and,

Second—We ask this for the reason that we believe it unwise legislation, not in the interest of the people of this State or of the United States, and for the further reason that the legal existence of said railroads will have expired thirty years before the maturity of the proposed extention of said indebtedness; and be it further

Resolved, That his Excellency the Governor of California is hereby requested to transmit a copy of the foregoing preamble and resolutions to each of our Senators and Representatives now in Congress, and to each of such members-elect, immediately on the adoption of the foregoing resolutions.

On motion of Senator Ostrom, the resolution was adopted, and the Secretary directed to forthwith transmit the same to the Assembly.

SPECIAL ORDER—(CASES OF URGENCY RESUMED).

Senate Bill No. 62 passed on file, on motion of Senator Hamill.

Senate Bill No. 464—An Act to amend sections nine hundred and thirty-six and nine hundred and thirty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Heacock, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.
NOES—Messrs. Crandall and Goucher—2.

Title read and approved.

Senate Bill No. 107—An Act to prevent damage from the overflow of artesian wells.

Bill read first time.

The following committee amendments were adopted:

Amend in line one, section one, after the word "completion," by inserting the words "if not now completed."

In line three, section one, after the word "of," insert the word "waste."

In lines one and five, section seven, and wherever the word "Roadmaster" occurs, the words "Road Overseer" be substituted therefor.

In line five, section seven, after the word "Superintendent," insert the words "and other persons having charge of roads or streets."

Bill read second time, ordered engrossed and printed, as amended.

Senate Bill No. 431—An Act to amend sections one thousand two hundred and seventeen, one thousand two hundred and twenty, one thousand two hundred and twenty-one, one thousand two hundred and twenty-three, one thousand two hundred and twenty-four, one thousand two hundred and twenty-five, one thousand two hundred and twenty-six, one thousand two hundred and twenty-seven, one thousand two hundred and twenty-nine, and one thousand two hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to execution of judgment of death.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Solano, Carpenter, Crandall, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—None.

PRESENTATION OF PETITION—(OUT OF ORDER).

Senator Dray asked permission to present the following petition, and that it be printed in the Journal, and that it be referred to Committee on Labor and Capital.

Request granted.

SACRAMENTO, CAL., February 18, 1891.

To the honorable the Senate of the State of California assembled:

GENTLEMEN: The undersigned committee, duly elected at a mass meeting of the unemployed this seventeenth day of February, have the honor to memorialize your honorable body as follows:

You have before you for consideration two bills vitally affecting the interest of the unemployed and laborers in general (Senate Bill No. 639 and Senate Bill No. 640). This committee has been instructed to urge upon you in the name of God and common humanity your early consideration of these measures.

We speak to you for the many among us who have the hand of starvation upon them, and the pangs of want gnawing at their vitals. Heart sick and weary, but with unbounded faith in your loyalty and truth, we have come to you in our distress for relief. It is with liveliest satisfaction we see an honest and sincere effort to conform with the promises made by your body, namely, to look after and protect the interests of the downtrodden laboring man. It is this fact that has given us courage to place our hopes in you, trusting our faith has not been misplaced.

Touching these bills, which we firmly believe will be of benefit to us and the State at large, both morally and financially, we have the honor to again most urgently request that you have the goodness to accord them your earliest possible consideration. This request is not made in the spirit of impatient importunity, but has been wrung from us by the heavy hand of the depressing necessities under which we suffer, and from which we hope to find a relief in the adoption of the aforesaid bills.

We sincerely hope that there is in them that which will recommend them favorably to your sense of justice and right.

In conclusion, we have the honor to ever respectfully pray.

WM. BEATY, Chairman.
E. M. WENNERHOLT, Secretary.
Committee for the Unemployed of Sacramento.

Substitute for Senate Bill No. 492—An Act to amend an Act entitled "An Act to provide for the building and furnishing of the Home for Soldiers' Widows and Orphans, and Army Nurses, and for the State to inquire into the management of such institution, by a uniform rule proportioned to the number of inmates in said institution, for the management of the same, and for the support of indigent persons residing in the said Home," approved March 16, 1889.

Committee substitute for Senate Bill No. 492 read first time and adopted.

MOTION.

Senator Mahoney moved that Senate Bill No. 639 be made a special order for next Tuesday, at three o'clock and thirty minutes P. M.

So ordered.

SUBSTITUTE FOR SENATE BILL NO. 492—(RESUMED).

Substitute read second time and ordered printed and engrossed, and on file for third reading.

Senator Hamill moved that the Senate now proceed to take up the reconsideration of the vote whereby Senate Bill No. 43 was passed yesterday.

Senator Carpenter moved as an amendment that it be made a special order for next Tuesday, at three o'clock and thirty minutes P. M.

Senator Ostrom moved as an amendment to the amendment that it be made a special order for to-day, at eleven o'clock and thirty minutes A. M.

Senator W. H. Williams moved that the whole subject-matter be indefinitely postponed.

Senators Britt, McGowan, and Voorhies demanded the ayes and noes.

Roll was called, and the motion to indefinitely postpone lost by the following vote:

AYES—Messrs. Berry, Britt, Broderick, Campbell of Solano, Crandall, Fraser, Goucher, Harp, Maher, McGowan, Ostrom, Ragsdale, Voorhies, and Williams (Wm. H.)—14.

NOES—Messrs. Bailey, Banks, Byrnes, Carpenter, Dargie, De Long, Denison, Dray, Everett, Hamill, Heacock, Mahoney, McComas, Preston, Shippee, Simpson, Sprague, Streeter, Welch, and Williams (Geo. H.)—20.

Before the announcement of the vote on the matter of indefinite postponement, Senator Voorhies moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)

Senator De Long moved that further proceedings under the call of the Senate be dispensed with.

Motion lost.

The Secretary called the list of absentees.

Senator De Long moved that further proceedings under the call of the Senate be now dispensed with.

The ayes and noes were demanded by Senators McGowan, Ostrom, and Berry.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Dargie, De Long, Denison, Flint, Fraser, Hamill, Heacock, Mahoney, Preston, Shippee, Streeter, and Welch—12.

NOES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Dray, Everett, Goucher, Harp, Maher, McComas, McGowan, Mead, Ostrom, Ragsdale, Simpson, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—22.

The absent Senators having taken their seats, on motion of Senator McGowan, further proceedings under the call of the Senate were dispensed with.

The Chair then announced the motion to indefinitely postpone.

Lost.

The question was then on Senator Ostrom's amendment to make it a special order for eleven o'clock and thirty minutes A. M. this day.

Roll call demanded by Senators Goucher, McGowan, and Ostrom.

Roll called, and amendment lost by the following vote:

AYES—Messrs. Berry, Britt, Broderick, Campbell of Solano, Goucher, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Voorhies, and Williams (Wm. H.)—16.

NOES—Messrs. Bailey, Banks, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Hamill, Heacock, Shippee, Simpson, Sprague, Streeter, Welch, and Williams (Geo. H.)—19.

Senator Carpenter's amendment to make it a special order for Tuesday, at three o'clock and thirty minutes P. M., was next considered.

Senator Heacock moved to amend by making it seven o'clock and thirty minutes P. M.

Amendment accepted by Senator Carpenter.

On the adoption of the motion, Senators Broderick, Berry, and Goucher demanded the ayes and noes.

The roll was called, and the amendment carried by the following vote:

AYES—Messrs. Bailey, Banks, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Preston, Shippee, Simpson, Sprague, Streeter, Welch, and Williams (Geo. H.)—21.

NOES—Messrs. Berry, Britt, Broderick, Campbell of Solano, Goucher, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Voorhies, and Williams (Wm. H.)—15.

URGENCY CASES—(RESUMED).

Senate Bill No. 413 passed, retaining its place on file.

Senate Bill No. 569—An Act to empower the Board of State Harbor Commissioners to rectify the alignment of East Street from Pacific Street to Market Street, in the City and County of San Francisco, and to sell, acquire, and condemn adjacent property.

Bill read first, second, and third times, and the question of final passage postponed until after the discussion of the bill by the San Francisco delegation. Bill ordered to retain its place on file.

RESOLUTION—(OUT OF ORDER).

By Senator Heacock:

Resolved, That Senate Bill No. 601 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, upon one day, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Welch, and Williams (Wm. H.)—30.
NOES—None.

Senate Bill No. 601—An Act making an appropriation to pay the Journal Clerk of the Assembly for completing the Journal of the Assembly, twenty-sixth session of the Legislature.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Dargie, De Long, Denison, Dray, Everett, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

Title read and approved.

Senate Bill No. 500 passed, to retain its place on file.

Senate Bill No. 479—An Act to provide for the establishment of High Schools in the State of California.

The following amendments were submitted:

Amend by inserting in section two, line one, after the word "town," the words "having a Board of Education;" and inserting in section two, after line one, the following: "a majority of the City Trustees, when the city has no Board of Education, or."

Adopted.

Also: Amend by inserting in section three, line three, after the words "incorporated town," the words "if there be one; if not, of the Board of City Trustees."

Adopted.

Also: Insert in section four, line five, after "Superintendent of Schools," these words: "and by him certified."

Adopted.

By Senator Voorhies:

Amend by inserting the following in section six, line two: After the words "in section," "sixteen hundred and forty-nine."

Adopted.

Also:

Amend by adding to end of section six the following:
"*Provided*, that if the Union High School District comprises but two school districts, the Union High School Board shall consist of the Chairman and Clerk of each district concerned."

Adopted.

Also:

Amend by striking out of section seven, line one, the words: "except in cities or incorporated towns having Boards of Education;" also, out of line two, same section, the words: "County Board of Education acting with the Principal of the school," and inserting in lieu thereof, "High School Boards."

Adopted.

By committee:

Amend by striking out of section eight, line five, the words "City and County Board of Education," and inserting the following: "High School Board."

Adopted.

Also: Amend by inserting in section nine, line two, after the words "High School," the words: "*provided*, that when any city, incorporated town, or Union High School District shall vote to maintain a High School, such territory shall be exempt from taxation to support a County High School; *and provided further*, that if such city or incorporated town, or two or more school districts, shall establish a High School prior to the submission of the question of establishing a County High School or Schools, the electors of such High School District shall be excluded from voting upon the County High School proposition."

Adopted.

By Senator Voorhies:

Amend section nine, line six, after the words "County High Schools," by adding the words "or schools."

Adopted.

Bill ordered engrossed and printed, as amended, and on file for third reading.

Senate Bill No. 415 ordered on special file.

Senate Bill No. 326—An Act to amend an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor," approved March 15, 1887.

Amendment by Senator Voorhies:

Amend by striking out of section five, line ten, the words "may be necessary," and inserting the following: "have been, or may be authorized by law."

Adopted.

Bill read second time, ordered engrossed and printed as amended, and on file for third reading.

Senate Bill No. 500 passed temporarily.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 20, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 117—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service and upon the public works of the State of California of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

Also: Senate Bill No. 385—An Act to authorize the State Board of Prison Directors to pay for certain skilled labor used in the construction of dam and canal at the Folsom Prison, and making an appropriation therefor.

Also: Senate Bill No. 391—An Act to provide for the payment of the Controller of State's warrants which have been lost or destroyed previous to payment by the State Treasurer.
Also: Senate Bill No. 617—An Act to provide for the payment of funded indebtedness of the State of California, and to contract a funded debt for that purpose.

RAGSDALE, Chairman.

Senate Bill No. 500—An Act to add an additional section to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorney.

AMENDMENTS.

Senator Carpenter moved that Senator Voorhies be appointed a special committee of one to make the following amendment:

SEC. 2. Nothing contained in this Act shall apply to any person now holding the office of District Attorney in this State.

So ordered.

REPORT OF COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 20, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 500, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

VOORHIES, Committee.

Report of special committee of one adopted.

Bill read second time, ordered engrossed and printed as amended, and on file for third reading.

Senate Bill No. 166 temporarily passed on file.

Senate Bill No. 200—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuation of administration upon the estates of deceased persons.

Bill read first time.

On second reading, the following committee amendments were adopted:

Strike out of line six, section one, of the printed bill, the words "one or more" and insert the word "all."

Strike out of line twelve, section one, of printed bill, the words "given to" and insert "served on."

In lines thirteen and fourteen, section one, strike out the following words: "notice is required to be given of the settlement of the account of an executor or administrator," and insert in lieu thereof the following: "summons in civil actions is served."

Bill ordered printed and engrossed as amended.

MOTION.

Senator Ostrom moved that substitute for Senate Bills No. 8, 57, 123, and 369 be set for consideration immediately after recess.

So ordered.

RECESS.

At twelve o'clock and thirty minutes P. M. the Senate took a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled. Hon. Thomas Fraser, President pro tem. of the Senate, in the chair. Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 20, 1891.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 645—An Act to repeal an Act entitled "An Act to provide for reorganizing and better regulating the paid fire department of the City and County of San Francisco," approved March 28, 1875—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 68—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 609—have had the same under consideration, and respectfully report the same back without recommendation.

CARPENTER, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Bills were introduced, read by title, and referred to committees, as follows:

By Senator Carpenter: Senate Bill No. 668—An Act to amend section two thousand six hundred and fifty-two of an Act entitled "An Act to establish a Political Code of the State of California," relating to road poll tax.

Referred to Committee on Roads and Highways.

Also: Senate Bill No. 669—An Act to add a new section to the Civil Code of the State of California, to be numbered four hundred and ninety-seven and one half.

Referred to Committee on Judiciary.

Also: Senate Bill No. 670—An Act to amend an Act entitled "An Act to establish a Penal Code of the State of California," approved March 12, 1872, relating to lotteries.

Referred to Committee on Judiciary.

Also: Senate Bill No. 671—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section fifteen thereof, relating to elections concerning the bonding of irrigation districts.

Referred to Committee on Judiciary.

By Senator W. H. Williams: Senate Bill No. 672—An Act to prevent frauds upon travelers.

Referred to Committee on Judiciary.

By Senator Streeter: Senate Bill No. 673—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having ten thousand and under twenty-five thousand inhabitants, and to provide

for officers thereof," approved March 18, 1885, and to make said Act, as amended, apply to cities having ten thousand and under twenty-five thousand inhabitants.

Referred to Committee on Judiciary.

By Senator Campbell of Solano: Senate Bill No. 674—An Act to authorize payment for certain services rendered by Justices of the Peace in counties of the tenth (10th) class, as formerly classified and designated by an Act of the Legislature of this State entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, and amended March 14, 1885, and March 18, 1885, and March 17, 1887, and March 16, 1889, on the basis of the enumeration of population made in the United States census for the year A. D. 1880.

Referred to Committee on Counties, County Governments, and Township Organization.

By Senator Carpenter: Senate Bill No. 675—An Act to amend section three thousand seven hundred and seventy of An Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the costs and fees to be collected by the Tax Collector at the time of making sales of property for delinquent taxes.

Referred to Committee on Judiciary.

By Senator Bailey: Senate Bill No. 676—An Act to provide for the disinfection of trees, shrubs, and vines imported into this State, and to provide a punishment for failure to disinfect.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator G. H. Williams: Senate Bill No. 677—An Act to amend sections two hundred and sixty-one and two hundred and sixty-nine of the Political Code.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 20, 1891.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 562—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

DRAY, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 20, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 252—An Act for the relief of the heirs of Michael Curran, deceased—respectfully report the same back, and recommend that the substitute herewith returned do pass.

Also: Senate Bill No. 627—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State, and to repeal section seven hundred and ninety-three of said Code, relating to the term of office of Notaries Public, approved March 19, 1889.

Also: Senate Bill No. 576—An Act to amend section one hundred and eighty-two of the Penal Code, relating to conspiracy—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 635—An Act to enable municipal corporations in the State of California owning public parks or city reservations of lands, to preserve the same for public use, and to lease the same for a period not to exceed twenty years, in such manner as not to deprive the public of the use thereof—respectfully report the same back, and recommend that it do pass as amended.

SPRAGUE, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Simpson:

Resolved, That the Controller be and he is hereby directed to draw his warrants in favor of the following names for the amounts set opposite them, for mileage on account of the visit of the sub-Committee on Hospitals to the State Insane Asylums at Stockton, Agnews, and Napa:

Senator Wm. Simpson, two hundred and seventy-five miles	$27 50
Senator R. H. Campbell, two hundred and seventy-five miles	27 50
Senator T. D. Harp, two hundred and seventy-five miles	27 50
M. W. Simpson, clerk, two hundred and seventy-five miles	27 50

The same to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MOTION TO RECONSIDER.

On motion of Senator Harp, committee substitute for Senate Bill No. 252 was ordered printed.

Senator McComas moved the reconsideration of the vote whereby Senate Bill No. 104 was refused final passage.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Carpenter, De Long, Denison, Dray, Everett, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Preston, Shippee, Simpson, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—Messrs. Goucher and Ostrom—2.

Senate Bill No. 104—An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes.

Roll called, and Senate Bill No. 104 finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Carpenter, Denison, Dray, Everett, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Simpson, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—Mr. Goucher—1.

Title read and approved.

On motion of Senator Goucher, Assembly messages were taken up.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 271—An Act to amend section two thousand six hundred and eighty-one of an Act entitled "An Act to establish a Political Code."

Also: Assembly Bill No. 280—An Act making an appropriation to pay for the maintenance of the Reform School for Juvenile Offenders, from January 1, 1891, to June 30, 1891, and making an appropriation for extra work, materials, and labor furnished in the erection of buildings of said reform school, and making an appropriation for payment of insurance on said reform school building.

Also: Assembly Bill No. 635—An Act entitled "An Act to amend section five hundred and thirty-one of the Political Code."

Also: Assembly Bill No. 694—An Act to amend sections three hundred and thirty-two, three hundred and thirty-three, and three hundred and thirty-four of the Political Code.

Also: Adopted Assembly Concurrent Resolution No. 4—Relative to extending an invitation to the President of the United States to visit the State of California.

Also: On February twentieth passed Assembly Bill No. 185—An Act to create the county of Glenn, to establish the boundaries thereof, and to provide for its organization.

Also: Assembly Bill No. 353—An Act to create the county of San Jacinto, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization and election of officers, and to classify said county.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Senator Goucher moved that Assembly Bills Nos. 185 and 353 take their place on file under the rule.

So ordered.

Assembly Bill No. 271 referred to Committee on Judiciary.

Assembly Bill No. 280 referred to Committee on Finance.

Assembly Bill No. 693 referred to Committee on Judiciary.

Assembly Bill No. 694 referred to Committee on Judiciary.

ASSEMBLY CONCURRENT RESOLUTION No. 4.

A resolution relative to extending an invitation to the President of the United States to visit the State of California.

Resolved by the Assembly of the State of California, the Senate concurring, That whereas, the report has been published that the President of the United States contemplates a visit to the Pacific Coast during the present year; and whereas, it would give unqualified pleasure to the people of the State of California if the President should visit this State, and see with his own eyes its beauty and fertility, its present greatness, and future possibilities; therefore, be it

Resolved, That the Legislature of the State of California does hereby extend a cordial invitation to the President of the United States to visit the State during the present year.

Resolved, That a certified copy of this joint resolution be transmitted by the Governor to the President at Washington.

The roll was called, and the resolution was adopted by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, and Williams (Wm. H.)—26.

NOES—None.

SPECIAL ORDER.

Substitute for Senate Bills Nos. 8, 57, 123, and 369—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two

hundred and fifty-nine of the Political Code, and to add four new sections thereto, to be numbered one thousand two hundred and thirteen, one thousand two hundred and fourteen, one thousand two hundred and fifteen, and one thousand two hundred and sixteen, all in relation to the conduct of elections in this State.

Senator Dargie moved that the special order set for this hour be postponed temporarily, until the matter at hand be disposed of.

So ordered.

The following committee amendment to substitute for Senate Bills Nos. 8, 57, 123, and 369, was adopted:

Amend section one thousand two hundred and fifty-seven of the Political Code to read as follows:

"After the lists are thus signed, the Board must proceed to open the ballots and count and ascertain the number of votes cast for each person voted for. All the ballots must be taken out of the ballot-box, one at a time, and opened by one of the members of the Board, and as so taken out, the straight ballots must be placed in separate piles, according to their respective ticket headings, vignettes, or other designations, in manner as follows, to wit: all the straight ballots of each such party must be placed in a separate pile, and straight undesignated ballots must be placed in a separate pile, in a like manner. When all the straight ballots shall have been so placed in piles, the number of ballots in each such pile must be carefully, correctly, and distinctly counted aloud by a member of the Board, in presence of the Board and of the bystanders; whereupon an official record must be made by each clerk of the total number of ballots in each such pile. Immediately thereafter all straight ballots, according to their respective headings, vignettes, or other designations, shall be distinctly read by such clerks, and the official total of such pile so made by clerks shall be read in connection with the office for which he is a candidate, and said total shall be so credited to such candidate. Immediately thereafter all straight ballots must be by one of the Judges strung upon one string in such a manner that all the straight ballots of each party shall be in direct succession and immediate proximity upon said string, and all such straight ballots thereupon be securely bound together by said string and replaced in the ballot-box.

"All the ballots other than straight ballots, of each separate political or other party, must be placed in a pile. When all the ballots shall have been so placed in a pile, the number of ballots in such pile must be carefully, correctly, and distinctly counted aloud by a member of the Board in the presence of the Board and of the bystanders, whereupon an official record must be made by each clerk of the total number of ballots in such pile. Immediately thereafter all the ballots other than straight ballots must be by one of the Judges strung upon one string in such a manner that all the ballots other than straight ballots shall be in direct succession and immediate proximity upon said string; and all such ballots other than straight ballots shall thereupon be securely bound and replaced in the ballot-box. Immediately thereafter such pile of ballots other than straight ballots must be freed from such twine or other fastening without removal from the ballot-box, and such ballots must be taken out one at a time by one of the members of the Board, and the name of each person marked in the ballots as voted for shall be distinctly read in connection with the office for which he is a

candidate. After the ballots other than straight ballots have been so counted, and an official record, as hereinbefore mentioned, made, all ballots rejected for illegality must be strung upon said string of ballots other than straight ballots; whereupon, all the ballots thus strung shall be securely bound and be replaced in the ballot-box."

Bill read second time, ordered engrossed and printed as amended, and on motion of Senator Ostrom, was made a special order for Tuesday, at three o'clock and thirty minutes P. M.

Senator De Long asked the unanimous consent for the Senate to consider Assembly Bill No. 106.

Granted.

Senator Dargie moved that the further consideration of special orders be postponed until after the consideration of Assembly Bill No. 106.

So ordered.

Senator Hamill moved that Senate Bill No. 62, a special order for this day, be made a special order for Tuesday, at three o'clock and thirty minutes P. M.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Senator Heacock:

WHEREAS, Saturday, February twenty-first, is the day fixed for the final obsequies of the late General William Tecumseh Sherman; and whereas, in harmony with the suggestions of his Excellency the Governor, the Senate has determined to adjourn over the day upon which such obsequies are held; and whereas, Monday, February twenty-third, is a holiday under the laws of this State; therefore, be it

Resolved, That when the Senate adjourns this twentieth day of February, it do adjourn until Tuesday, February 24, 1891, at ten o'clock A. M.

Adopted.

SPECIAL ORDER—(RESUMED).

Assembly Bill No. 106—An Act appropriating money to pay the expenses of maintaining an exhibit of the products of the State of California at the World's Columbian Exposition, to be held in Chicago, in 1893, and to provide for Commissioners thereof.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Maher, McComas, McGowan, Preston, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—Messrs. Berry, Campbell of Solano, Harp, Mead, Ostrom, Ragsdale, and Voorhies—7.

Title read and approved.

CASES OF URGENCY.

By Senator Dargie:

Resolved, That Assembly Bills Nos. 114, 116, and 142 present a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the second and third times upon one day, and placed upon their passage.

Roll called, and resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Shippee, Simpson, Sprague Streeter, Williams (Wm. H.), and Williams (Geo. H.)—30.

NOES—Messrs. Campbell of Solano and Voorhies—2.

Assembly Bill No. 114—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of an incorporated city, city and county, or town.

On motion of Senator Dargie, amendments submitted by the committee were withdrawn.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.
NOES—Messrs. Campbell of Solano and Voorhies—2.

Title read and approved.

Assembly Bill No. 116—An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity.

On motion of Senator Dargie, the committee amendments were withdrawn.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Carpenter, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—Mr. Voorhies—1.

Title read and approved.

Assembly Bill No. 142—An Act to amend section four hundred and ninety-nine of the Civil Code of California, relative to the authority to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway, operated under different management, to use parts of the same streets and tracks.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.
NOES—Mr. Voorhies—1.

Title read and approved.

RESOLUTIONS—(OUT OF ORDER).

By Senator Heacock: Senate Joint Resolution No. 22—Relative to the compensation of the enumerators who took the population of the State of California for the eleventh census of the United States.

Referred to Committee on Federal Relations and Immigration.

By Senator McComas: Senate Joint Resolution No. 23—Relative to a uniform system of national circulating medium.

Referred to Committee on Federal Relations and Immigration.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 20, 1891.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 395—have had the same under consideration, and respectfully report the same back with amendment, and recommend that it do pass as amended.

HEACOCK, Chairman.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 64—An Act making an appropriation to pay the claim of D. Jordan.

Bill read first time, and on second reading Senator Heacock submitted a substitute which, in the event of its adoption, would have permitted D. Jordan to sue the State for the amount claimed, and moved its adoption.

Roll call demanded by Senators Heacock, Ostrom, and Berry.

The roll was called, and the substitute refused adoption by the following vote:

AYES—Messrs. Berry, Carpenter, Denison, Dray, Heacock, Ostrom, Shippee, and Voorhies—8.

NOES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Dargie, De Long, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, Mead, Preston, Ragsdale, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—23.

Senator Campbell of Solano moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

On motion of Senator Wm. H. Williams, Senator Crandall was granted a leave of absence on account of sickness.

Senator Hamill moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

On the question, "Shall the bill be ordered engrossed and on file for third reading?" the roll was called and it was so ordered by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Dargie, Denison, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, Mead, Preston, Simpson, Welch, Williams (Wm. H.), and Williams (Geo. H.)—22.

NOES—Messrs. Berry, Dray, Heacock, Shippee, and Voorhies—5.

Senator Preston moved that four members of the Committee on State Prisons and Prison Buildings be permitted to visit the State Prison at San Quentin.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 20, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 384—An Act to increase the number of Judges of the Superior Court of the County of Tulare, and to provide for the appointment of an additional Judge.

Also: Substitute for Senate Bill No. 492—An Act to amend an Act entitled "An Act to provide for the building and furnishing of the Home for Soldiers' Widows and Orphans, and Army Nurses, and for the State to inquire into the management of such institution, by a uniform rule proportioned to the number of inmates in said institution, for the management of the same, and for the support of indigent persons residing in the said Home," approved March 16, 1889.

Also: Senate Bill No. 464—An Act to amend sections nine hundred and thirty-six and nine hundred and thirty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 20, 1891.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bill has been correctly enrolled:

Senate Bill No. 480—An Act to amend section one thousand three hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a married woman as administratrix of an estate of a deceased person—and have this day delivered the same to the Governor.

RAGSDALE, Chairman.

PREVIOUS QUESTION.

The roll was called on Senator Preston's motion, which was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Denison, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Ostrom, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—Messrs. Heacock and Voorhies—2.

Senator Carpenter moved that the Senate Post Office be closed to-morrow out of respect to the late General W. T. Sherman.

So ordered.

Senator Heacock moved that a sub-committee of three of the Committee on State Prisons and Prison Buildings be granted permission to visit the State Prisons at San Quentin and Folsom to-morrow.

The motion was carried.

RESOLUTION—(OUT OF ORDER).

By Senator Mahoney:

Resolved, That Senators McGowan, Broderick, and W. H. Williams be granted a leave of absence for the purpose of visiting the harbor front of the city of San Francisco.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 20, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 234—An Act to establish a standard of weights and measures—respectfully report the same back, and recommend that it do pass as amended.

SPRAGUE, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Committee on Counties, County Governments, and Township Organization: Senate Bill No. 678—An Act to establish a uniform system of county and township governments.

Bill ordered printed.

By Senator Harp: Senate Bill No. 679—An Act authorizing and

directing the Clerk of the Supreme Court of the State of California to make a new attorney roll of all attorneys admitted to practice in the said Supreme Court from the organization thereof.

Referred to Committee on Judiciary.

RECESS.

At five o'clock and forty-five minutes P. M. the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

MOTIONS.

Senator Goucher moved to adopt amendment to rules for which he gave notice yesterday.

Senator Heacock moved that the proposed amendment be referred to Committee on State Library and Rules, with request that they report in five minutes.

So ordered.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Senator De Long: Senate Bill No. 680—An Act to amend section two thousand one hundred and thirty-seven of the Political Code, in regard to the powers and duties of the Board of Directors of the Insane Asylum, located at Stockton.

Referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, February 20, 1891.

MR. PRESIDENT: Your Committee on State Library and Rules, to which was referred the following resolution and notice:

Senator Goucher asked unanimous consent, which was granted, to present the following:

The undersigned hereby gives notice that at the meeting of the Senate one day hereafter, he will move the following amendment to Rule 7, of the Standing Rules of the Senate, so as to strike out the words "two o'clock until three o'clock and thirty minutes P. M.," and that the following words be substituted therefor: "three o'clock and thirty minutes to five o'clock P. M."

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

McGOWAN, Chairman.

Report of committee adopted.

SPECIAL ORDER.

Report of Committee on Rules relative to the limitation of debate:

SENATE CHAMBER, SACRAMENTO, February 18, 1891.

MR. PRESIDENT: Your Committee on State Library and Rules, to which was referred the following resolution, to wit:

In pursuance of notice given on yesterday, I now move that Rule 24 be changed by adding at the end thereof the following: "And no Senator shall speak longer than five minutes at any one time upon any question, without the unanimous consent of the Senate."

Have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

McGOWAN, Chairman.

Senator McGowan moved the adoption.

Senator Heacock submitted the following amendment, and moved its adoption:

At the end of amendment add: *provided*, that the amendment shall not apply to any debate upon any bill for the reapportionment of this State into Congressional, Senatorial, or Assembly districts.

The roll was called, and Senator Heacock's amendment was lost by the following vote:

AYES—Messrs. Bailey, Berry, Britt, De Long, Denison, Heacock, McComas, Preston, Ragsdale, Simpson, Streeter, Voorhies, and Williams (Wm. H.)—12.

NOES—Messrs. Banks, Broderick, Byrnes, Campbell of Solano, Carpenter, Dray, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McGowan, Mead, Ostrom, and Williams (Geo. H.)—17.

Senator De Long moved to amend the proposed amendment by substituting for the words "unanimous consent of the Senate," the following: "consent of a majority of the Senators present."

Roll was called, and Senator De Long's amendment was lost by the following vote:

AYES—Messrs. Bailey, Berry, De Long, Dray, Fraser, Heacock, McComas, Preston, Ragsdale, Shippee, Streeter, Voorhies, and Williams (Geo. H.)—13.

NOES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Denison, Everett, Goucher, Hamill, Harp, Maher, Mahoney, McGowan, Mead, Ostrom, Williams (Wm. H.)—17.

The question recurring on the adoption of the report of the committee, the roll was called, and the report adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McGowan, Mead, Ostrom, and Welch—18.

NOES—Messrs. Bailey, Dray, Heacock, McComas, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—12.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Senator Maher: Senate Bill No. 681—An Act for the relief of Colonel Jonathan D. Stevenson.

Referred to Committee on Finance.

REQUEST.

Senator Voorhies asked unanimous consent to have taken up and read Senate Joint Resolution No. 17.

Granted.

SENATE JOINT RESOLUTION No. 17.

Joint resolution relative to the mining industry in California.

WHEREAS, The great volume of domestic and foreign commerce, the rapid increase of production in all branches of agriculture and of manufacturing, demand a greater amount of currency to transact the business of California, the United States, and of the civilized nations; and whereas, the United States has sold to its citizens in California certain mineral lands, from which more than a billion and a half of gold has been extracted, and from which many hundred millions more could be taken; and whereas, by recent decisions of the State and Federal Courts, many hundreds of gold-producing mines in California have ceased to operate, and the development of many more has been prevented, thus reducing the gold product at least eight million dollars per year ($8,000,000), and the population in the mining counties more than fifty thousand below what it would have been without restraints upon mining; and whereas, the present Governor of California, in his inaugural address, expressed himself with reference to the mining industry, in language as follows, to wit: "One important branch of our industries, that of hydraulic mining, is at a stand-still, and will never be revived, unless vigorous steps be taken by the General Government. Congress and the Courts have placed the strong and powerful arm of the law upon this industry, and crushed it out of existence. I need not repeat its history, for it is familiar to all of you and to the people of the State. No relief could be expected from the General Government, were the workings of these mines beneficial to the interests of the State alone. It was from the gold fields of California, however, that the millions were taken that assisted this nation so materially in her greatest financial peril. These same gold fields have yielded the enormous amount of nearly a billion and a half of the precious metal, thereby replenishing the Treasury of the United States with that needed medium of exchange. It is said that it will be difficult, if not impossible, to devise means whereby the gold can be extracted in paying quantities without harm to the farm owners in the valleys, or injury to the navigation of certain streams. If that be true, it should be avoided. But I have such confidence in the combined wisdom of the sixty-six millions of people in this country, that I feel safe in saying that if an earnest effort were made on the part of the General Government for that purpose, the result would be accompanied with a profit to the whole country. In my judgment, no industry would more richly repay a reasonable outlay on the part of the Government than this. I suggest, therefore, that the subject be thoroughly agitated, Congress memorialized, and our Senators and Representatives urged to take all necessary steps to bring the matter properly before Congress at the earliest moment possible. Congress properly expends thousands of dollars every year in experiments and investigations which, in the opinion of its members, will promote the public interests of the country. For instance, a special committee has been created on irrigation of arid lands, and a liberal appropriation is annually made for the purpose of studying the subject. The most thoroughly qualified men of the age are employed for this work, and all the means that science and skill can evolve are brought into requisition in solving the problems. Many other instances, familiar to all, of the liberal action of the Government, could be cited. Why should not Congress treat this question in a similar manner, and assist in a solution of the difficulties surrounding the production of gold? It is a matter of national interest, for this metal is accepted by all men as a medium of exchange. Within the borders of California, millions upon millions of gold are locked up in the bowels of the earth, awaiting the genius of man to devise some feasible method of release, and I urge you to take the initiative in obtaining the assistance of the Federal Government." Therefore, be it

Resolved by the Senate of California, the Assembly concurring, That we earnestly, but most respectfully, request Congress to pass a law authorizing the Secretary of War to appoint a competent Board of Engineers, to consist of three or five members, as may be deemed best, whose duty it shall be to investigate the mines or mining districts of this State; said Commission to have the power, after such investigation, to grant the privilege of working such mines as, in their judgment, can be operated without injury to other interests; said Commission to have the further power of devising and executing plans whereby mining, in all its branches, may be carried on without injury to agricultural lands and the navigable streams of the State. And to the accomplishment of this end we ask Congress to appropriate one million dollars, believing, as we do, that the Government will be repaid many fold for such action.

Resolved, That a copy of this preamble and resolution be forwarded to our Senators and Representatives in Congress, by the Governor, under the seal of the State.

Senator Preston moved to amend by striking out of lines four, five, and six, the words: "said Commission to have the power, after such investigation, to grant the privilege of working such mines as in their judgment can be operated without injury to other interests."

Amendment adopted.

The roll was called, and the resolution, as amended, adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Dargie, De Long, Denison, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—30.

NOES—None.

MOTION.

Senator Voorhies asked unanimous consent to have read the second time substitute for Senate Bill No. 388.

Substitute for Senate Bill No. 388—An Act to divide the State of California into Congressional districts.

The following amendments were submitted:

Amend by inserting in section one, line seven, after the word "Mono," the word "Inyo."

Adopted.

Amend by striking out all of subdivision four of section one, after the word "follows," in line eleven, and inserting therefor the following:

Commencing at the point of intersection of the center of Leavenworth Street and the bay of San Francisco; continuing thence along the center of the following named streets: Leavenworth to Broadway, Broadway to Hyde, Hyde to Sutter, Sutter to Jones, Jones to Market, Market to Valencia, Valencia to Ridley, Ridley to Guerrero, Guerrero to Twenty-first, Twenty-first to Church, Church to Army, Army to Guerrero, Guerrero to Old San José Road, Old San José Road to Thirtieth, Thirtieth to Mission, Mission and along Telegraph, or New County Road, to the boundary line dividing the counties of San Mateo and San Francisco; thence along said boundary line to the bay of San Francisco; thence along the shore of said bay to Leavenworth Street, to the place of beginning, with all the islands in the bay of San Francisco within the boundaries of the City and County of San Francisco, shall comprise the Fourth Congressional District.

Adopted.

Amend by striking out of section one, line twenty-eight, the word "Inyo."

Adopted.

Amend section three by striking out the word "will," and inserting therefor the word "shall."

Adopted.

Senator Heacock moved that the bill be printed with amendments, and further consideration be made the special order for next Thursday, at seven o'clock and thirty minutes P. M.

So ordered.

RESOLUTIONS—(OUT OF ORDER).

By Senator Broderick:

Resolved, That the following sub-committee from the Committee on Labor and Capital —Senators Maher, Mahoney, and Welch—be granted leave of absence to visit San Francisco, to investigate and inquire into the merits of Senate Bill No. 639, providing for the employment of destitute citizens, and making appropriations therefor.

Ayes and noes demanded by Senators Dray, Campbell, Fraser, and Broderick.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Britt, Broderick, Byrnes, Carpenter, Dargie, Denison, Everett, Hamill, Mahoney, McGowan, Mead, Simpson, Sprague, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—16.

NOES—Messrs. Bailey, Banks, Berry, Campbell of Solano, Dray, Fraser, Goucher, Harp, Heacock, McComas, Ostrom, Ragsdale, Shippee, and Streeter—14.

By Senator Simpson:

Resolved, That no Senator be allowed to speak more than ten minutes on any question, without the consent of the Senate by a majority vote, and that this rule be incorporated into the standing rules of the Senate.

Referred to Committee on State Library and Rules.

MOTION TO ADJOURN.

At ten o'clock and ten minutes P. M. Senator Heacock moved to adjourn.

The ayes and noes were demanded by Senators Goucher, Broderick, and Ostrom.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Campbell of Solano, Carpenter, Dargie, Denison, Dray, Heacock, McComas, Shippee, and Streeter—9.

NOES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Everett, Fraser, Goucher, Hamill, Mahoney, McGowan, Mead, Ostrom, Ragsdale, Simpson, Sprague, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—19.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Senator Dargie: Senate Bill No. 682—An Act to amend section five hundred and ninety-three of the Civil Code of the State of California, relating to benevolent and religious corporations.

Referred to Committee on Corporations.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 20, 1891.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 658—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DARGIE, Chairman.

Senator Broderick moved to take up the special file.

So ordered.

SPECIAL FILE.

Assembly Bill No. 138—An Act to provide for the levy and collection of taxes by and for the use of municipal corporations, and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section eight, article eleven, of the Constitution.

Bill read third time.

Pending the announcement of the vote, Senator Ragsdale moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.).

Senator Voorhies moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

On motion of Senator Ragsdale, a new roll call on the final passage of the bill was ordered.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Mahoney, McComas, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—Messrs. Berry, Carpenter, Harp, McGowan, Mead, and Preston—6.

Title read and approved.

Senator Campbell of Solano gave notice that on Tuesday next he would move a reconsideration of the vote whereby Assembly Bill No. 138 was this day finally passed.

At ten o'clock and forty minutes P. M. Senator Fraser moved that the Senate do now adjourn.

The roll was called, with the following result:

AYES—Messrs. Bailey, Campbell of Solano, Carpenter, Dargie, Denison, Dray, Fraser, Harp, Heacock, McComas, Mead, Ostrom, Preston, and Shippee—14.

NOES—Messrs. Banks, Berry, Britt, Broderick, Everett, Goucher, Hamill, Mahoney, McGowan, Ragsdale, Simpson, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—14.

There being a tie vote, the President of the Senate exercised his constitutional privilege, and declared the motion lost.

LEAVE OF ABSENCE.

On motion of Senator Voorhies, the Postmistress and Assistant, and the Mail Carrier were granted a leave of absence until Tuesday.

Senators Preston and Mead were granted a leave of absence until noon of Tuesday next.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 79—An Act to amend section three thousand six hundred and fifty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of Assessors.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Mahoney, McComas, McGowan, Ostrom, Ragsdale, Shippee, Simpson, Voorhies, and Williams (Wm. H.)—26.

NOES—None.

Title read and approved.

At ten o'clock and forty-five minutes P. M., Senator Campbell moved that the Senate adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Campbell of Solano, Carpenter, De Long, Dray, Fraser, Harp, McComas, Ostrom, and Shippee—10.

NOES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Dargie, Everett, Goucher, Hamill, Mahoney, McGowan, Ragsdale, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—17.

Senate Bill No. 324—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Senator Goucher moved that Senator W. H. Williams be appointed a committee of one to amend Senate Bill No. 324, as follows:

Amend by striking out of section four all of the words after the word "until," in line four, and substitute therefor the following words: "such firm, corporation, or person, shall have caused some authorized representative to be duly examined and licensed as prescribed in section five of this Act."

That the bill be ordered printed and engrossed, and that it retain its place on file.

So ordered.

REPORT OF COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 20, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 324, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

W. H. WILLIAMS, Chairman.

Report of committee adopted.

ADJOURNMENT.

At ten o'clock and forty-six minutes P. M. Senator Campbell of Solano moved to adjourn.

The ayes and noes were demanded by Senators McGowan, Campbell of Solano, and Goucher.

Senator Ostrom in the chair.

The roll was called, and the motion prevailed by the following vote:

AYES—Messrs. Berry, Campbell of Solano, Carpenter, Denison, Dray, Fraser, Harp, Heacock, McComas, Ostrom, Preston, Shippee, Simpson, Streeter, and Voorhies—15.

NOES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Dargie, Goucher, Hamill, Mahoney, McGowan, Ragsdale, Williams (Wm. H.), and Williams (Geo. H.)—13.

Whereupon the Senate was declared adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 24, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

LEAVE OF ABSENCE.

Senator Heacock asked for indefinite leave of absence for Senator Dray, on account of sickness in his family.

Granted.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Heacock moved that further reading of the Journal be dispensed with.

So ordered.

On motion of Senator Heacock, the Journal of February 19, 1891, was approved.

SUBSTITUTE FOR SENATE BILL No. 566.

Senator Crandall asked unanimous consent to offer a substitute for Senate Bill No. 566 (No. 302 on file), and that the same be printed.

There being no objection it was so ordered.

Substitute for Senate Bill No. 566—An Act to amend sections one thousand three hundred and fifty-two and one thousand seven hundred and fifty-one of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to executors and guardians of minors.

Bill ordered printed.

SPECIAL ORDER.

Senate Bill No. 166 passed on file until report of the San Francisco delegation is received.

REPORT OF STANDING COMMITTEE.

ON CONSTITUTIONAL AMENDMENTS AND BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, February 20, 1891.

MR. PRESIDENT: Your Committee on Constitutional Amendments and Banks and Banking, to whom was referred Senate Constitutional Amendment No. 21—have had the same under consideration, and report the same back, and recommend that it do not pass.

Also: Assembly Constitutional Amendment No. 5—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CRANDALL, Chairman.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 110—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,'" approved March 19, 1889.

Also: Adopted Senate Joint Resolution No. 18—Relative to Nicaragua Canal.

H. A. MASON, Chief Clerk,
By F. W. WHITMORE, Assistant.

Senate Joint Resolution No. 18 ordered to enrollment.

Assembly Bill No. 110 ordered on special file for Assembly Bills.

SPECIAL FILE.

Senate Bills Nos. 408 and 274, and Senate Constitutional Amendments Nos. 5, 8, 19, 20, and 1 were passed on file.

Senate Bill No. 643—An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, and all Acts amendatory thereof.

Bill read second time.

The following amendments were submitted:

By Senator Heacock:

Amend section eleven as follows: At commencement of section insert the words "so much of."

Adopted.

Also:

After the word "and," in line three, insert the word "of."

Adopted.

Also:

Strike out of last line of section eleven the words "all laws and parts of laws," and insert in lieu thereof the words "as are."

Adopted.

Also:

Amend title as follows: Insert after the word "repeal," in line three thereof, the words "so much of."

Adopted.

Also:

Insert after word "and," in last line of the title, the word "of."

Adopted.

Also:

Add at the end of the title the words "as are in conflict herewith."

Adopted.

On motion of Senator Heacock, the bill was passed temporarily on file.

Senate Bills Nos. 324 and 391 passed on file.

Senate Bill No. 617—An Act to provide for the payment of funded indebtedness of the State of California, and to contract a funded debt for that purpose.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Mahoney,

McComas, McGowan, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

Title read and approved.

Senator De Long moved that the bill be immediately transmitted to the Assembly.

So ordered.

RESOLUTION.

By Senator Heacock:

Resolved, That Senate Bill No. 415 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times upon one day, and placed upon its passage.

Senator Goucher moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Denison, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.

Senator Voorhies asked leave of absence for Senator Campbell of Solano.

Granted.

Senator Broderick asked leave of absence for Senator Maher, on account of sickness in his family.

Granted.

Senators Dargie, Sprague, and De Long were brought before the bar of the Senate, and excused for being absent without leave.

On motion of Senator Heacock, further proceedings under the call of the Senate were dispensed with.

The roll was then called, and the resolution declaring Senate Bill No. 415 a case of urgency adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—None.

CASE OF URGENCY.

Senate Bill No. 415—An Act entitled an Act to amend section four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Byrnes, Carpenter, Crandall, Dargie, Denison, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Mahoney, McComas, McGowan, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.
NOES—Messrs. Broderick, Mead, and Ostrom—3.

Title read and approved.

INTRODUCTION OF BILL—(OUT OF ORDER).

Senator Sprague asked unanimous consent to introduce a bill.
The roll was called, and permission granted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—None.

By Senator Sprague: Senate Bill No. 683—An Act to cede jurisdiction to the United States over certain lands.
Referred to Committee on Judiciary.

MESSAGES FROM THE GOVERNOR.

On motion of Senator Sprague, the following messages from the Governor were read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 24, 1891.

To the Senate of the State of California:

I hereby nominate Robert T. Devlin, of the county of Sacramento, to the office of State Prison Director, for the unexpired term of himself, failed to qualify, and respectfully request your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 24, 1891.

To the Senate of the State of California:

I hereby nominate Charles Sonntag, of the City and County of San Francisco, to the office of State Prison Director, for the unexpired term of himself, failed to qualify, and respectfully request your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 24, 1891.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 209, 351, and 480.

H. H. MARKHAM, Governor.

On motion of Senator Goucher, the Senate advised and consented to the appointment of Robert T. Devlin as State Prison Director, by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—None.

On motion of Senator Hamill, the Senate advised and consented to the appointment of Chas. Sonntag as State Prison Director, by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—None.

SPECIAL FILE—(RESUMED).

Senate Bill No. 282—An Act to provide for the appointment of a Board of Sutter's Fort Trustees, and for the acquisition of the Sutter Fort property, and providing for an appropriation for the preservation, protection, and improvement of said property.

The following committee amendment was submitted:

Amend section four, line one, by inserting after the word "dollars" and before the word "is," the following: "one half to be expended in the forty-third fiscal year and one half in the forty-fourth fiscal year."

Adopted.

Read second time, and ordered printed as amended, and on file for third reading.

THIRD READING OF BILLS.

Substitute for Senate Bill No. 278—An Act to prohibit the sale of intoxicating liquors within one mile of any reform school where juveniles are confined or kept.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Carpenter, Dargie, De Long, Denison, Everett, Flint, Fraser, Hamill, Heacock, McComas, McGowan, Mead, Ostrom, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—24.
NOES—None.

Title read and approved.

Senate Bills Nos. 256, 115, and 34 passed on file.

Senate Bill No. 342—An Act to provide for the appointment of a guardian for the Marshall monument and grounds, prescribing his duties, and appropriating money therefor.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Dargie, De Long, Denison, Everett, Fraser, Hamill, McGowan, Mead, Ostrom, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—23.
NOES—Messrs. Heacock and McComas—2.

Title read and approved.

Senate Bill No. 119—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Broderick, Byrnes, Dargie, De Long, Denison, Everett, Fraser, Hamill, Heacock, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—24.
NOES—Mr. Carpenter—1.

Title read and approved.

Senate Bill No. 34—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to the redemption of property sold for delinquent taxes, and the notices to be given by the purchasers of property at delinquent tax sales before applying for a deed.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Dargie, De Long, Denison, Flint, Fraser, Hamill, McComas, McGowan, Mead, Ostrom, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.) –23.
NOES—None.

Title read and approved.

Senate Bill No. 120—An Act to amend section one hundred and seventy-two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the husband's control and disposition of the community property.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Dargie, De Long, Denison, Everett, Flint, Fraser, Hamill, Heacock, McComas, McGowan, Mead, Ostrom, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.
NOES—None.

Title read and approved.

Substitute for Senate Bill No. 169 passed on file.

Senate Bills Nos. 267, 287, and 61 passed on file.

Senate Bill No. 135—An Act to amend sections one thousand three hundred and five, one thousand three hundred and seventy-three, one thousand five hundred and fifty-two, one thousand six hundred and thirty-three, and one thousand six hundred and thirty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to estates of deceased persons.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, De Long, Denison, Everett, Flint, Fraser, Hamill, Heacock, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.
NOES—None.

Title read and approved.

Senate Bill No. 117—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service, and upon public works of the State of California, of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

Bill read third time, and finally passed by the following vote:

AYES –Messrs. Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, De Long, Denison, Everett, Flint, Fraser, Hamill, Harp, Heacock, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.
NOES—None.

On motion of Senator McGowan, the following amendment to the title was adopted:

By inserting after "rebellion," in title, the words "Mexican War Veterans and members of the California Pioneer Association."

Title read as amended, and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 24, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 43—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers.

Also: Senate Bill No. 200—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuation of administration upon the estates of deceased persons.

Also: Senate Bill No. 324—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Also: Senate Bill No. 326—An Act to amend an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor," approved March 15, 1887.

Also: Senate Bill No. 431—An Act to amend sections one thousand two hundred and seventeen, one thousand two hundred and twenty, one thousand two hundred and twenty-one, one thousand two hundred and twenty-three, one thousand two hundred and twenty-four, one thousand two hundred and twenty-five, one thousand two hundred and twenty-six, one thousand two hundred and twenty-seven, one thousand two hundred and twenty-nine, and one thousand two hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to execution of judgment of death.

Also: Senate Bill No. 500—An Act to add an additional section to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorney.

Also: Senate Bill No. 569—An Act to empower the Board of State Harbor Commissioners to rectify the alignment of East Street from Pacific Street to Market Street, in the City and County of San Francisco, and to sell, acquire, and condemn adjacent property.

Also: Senate Joint Resolution No. 17—Relative to the mining industry of California.

Also: Substitute for Senate Bills Nos. 8, 57, 123, and 369—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two hundred and fifty-nine of the Political Code, and to add four new sections thereto, to be numbered one thousand two hundred and thirteen, one thousand two hundred and fourteen, one thousand two hundred and fifteen, and one thousand two hundred and sixteen, all in relation to the conduct of elections in this State.

RAGSDALE, Chairman.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 124 passed on file.

Senate Bill No. 391—An Act to provide for the payment of the Controller of State's warrants which have been lost or destroyed previous to payment by the State Treasurer.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Broderick, Byrnes, Carpenter, Crandall, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, McComas, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (Geo. H.)—26.

NOES—None.

Title read and approved.

Senate Bill No. 492—An Act to amend an Act entitled "An Act to provide for the building and furnishing of the Home for Soldiers' Widows and Orphans, and Army Nurses, and for the State to inquire into the management of such institution, by a uniform rule proportioned to the number of inmates in said institution, for the management of the same, and for the support of indigent persons residing in the said Home," approved March 16, 1889.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Gesford, Hamill, Harp, Heacock, McComas, Ostrom, Ragsdale, Skipper, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (Geo. H.)—25.
NOES—None.

Title read and approved.

Senate Bill No. 124—An Act to amend section one hundred and three of the Code of Civil Procedure, relating to Justice's Courts.

Senator Heacock moved that Senate Bill No. 124 be referred to a special committee of one, consisting of Senator Crandall, to make the following amendments.

Amend by striking out the word "ten," in line twenty, page two, and insert "fifteen."
Amend line sixteen, page two, by striking out "ten" and inserting "fifteen" in lieu thereof.
Amend section two by striking out all thereof and inserting "The term of office of Justices of the Peace now elected shall not be affected by this Act."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 25, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 124, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

CRANDALL, Committee.

Report of committee of one adopted.

RECESS.

At twelve o'clock and thirty minutes P. M. the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thos. Fraser, President pro tem. of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Skipper, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

SPECIAL FILE—(RESUMED.)

Consideration of Senate Bill No. 643 (resumed).

Senator Heacock submitted the following amendments:

Amend by striking out of section one, line twenty-seven, the words: "counties of Merced and Mariposa," and inserting the following: "county of Fresno."

Adopted.

Also: Amend by striking out of section one, line thirty-three, the word "Solano," and inserting the following word: "Napa."

Adopted.

Also: Amend by striking out of section one, line forty-four, the word "Napa," and inserting the following word: "Solano."

Adopted.

Also: Amend by striking out of section one, line forty-three, the words "county of Fresno," and inserting the following: "counties of Merced and Mariposa."

Adopted.

Also: In section five, line one, make the word "an" to read "any" immediately after it the word "new."

Adopted.

Also: At the end of section seven add: "*provided*, that all officers of agricultural districts now in office under any law heretofore passed shall hold office for the term for which they were appointed, except in cases specified in section two of this Act."

Adopted.

Bill ordered to print and engrossment.

Senator Berry moved to take from first reading file Senate Bills Nos. 618 and 619 and place them on special file.

There being no objection, it was so ordered.

Senator Voorhies submitted a substitute for Senate Bill No. 408 (No. 2 on file), and moved that it be read first time, ordered printed, and take the place of the original on file.

There being no objection, such was the order.

Substitute for Senate Bill No. 408—An Act to divide the State into legislative districts, as required by section six, article four of the Constitution, and to provide for the election of members of the Assembly and Senate.

Bill read first time, and ordered printed.

SPECIAL FILE OF ASSEMBLY BILLS.

Resolution by Senators Hamill and De Long:

Resolved, That Assembly Bills Nos. 401, 308, 408, 412, 419, 418, 42, 423, and 427 present a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Williams (Geo. H.)—30.

NOES—None.

Assembly Bill No. 308—An Act making an appropriation to pay the deficiency in the appropriation for the salary of the Executive Secretary to the Governor for the forty-first and forty-second fiscal years.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Williams (Geo. H.)—29.
NOES—None.

Title read and approved.

Assembly Bill No. 408—An Act making an appropriation to pay the deficiency in the appropriation for stationery, supplies, fuel, and lights for Legislature and State officers, for the fortieth fiscal year.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Solano, Carpenter, Dargie, De Long, Everett, Flint, Fraser, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, and Voorhies—23.
NOES—None.

Title read and approved.

Assembly Bill No. 401—An Act making an appropriation to pay the Journal Clerk of the Senate, twenty-eighth session of the Legislature, and his assistants, for completing the Journal of the Senate.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Voorhies, and Williams (Geo. H.)—27.
NOES—None.

Title read and approved.

Assembly Bill No. 412—An Act making an appropriation to pay the deficiency in the appropriation for arrest of criminals without the limits of the State, for the fortieth fiscal year.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, and Voorhies—28.
NOES—None.

Title read and approved.

Assembly Bill No. 419—An Act making an appropriation to pay the deficiency in the appropriation for construction of granite steps in the State Capitol grounds, for the forty-first and forty-second fiscal years.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Denison, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, McComas, McGowan, Ostrom, Preston, Shippee, Simpson, Streeter, and Voorhies—25.
NOES—None.

Title read and approved.

Assembly Bill No. 418—An Act making an appropriation to pay the deficiency in the appropriation for salary of Commissioner of Bureau of Labor Statistics, for the fortieth fiscal year.

Bill read second and third times, and finally passed by the following vote:

Ayes—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—29.
Noes—None.

Title read and approved.

Assembly Bill No. 42—An Act making an appropriation to pay the deficiency in the appropriation for support of the State Insane Asylum at Stockton, for the forty-first and forty-second fiscal years.

Bill read second and third times, and finally passed by the following vote:

Ayes—Messrs. Bailey, Banks, Berry, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, and Williams (Geo. H.)—27.
Noes—Mr. Goucher—1.

Title read and apppoved.

Assembly Bill No. 423—An Act making an appropriation to pay the deficiency in the appropriation for the payment of claims incurred under an Act entitled "An Act to promote drainage," approved April 23, 1880.

Bill read second and third times, and finally passed by the following vote:

Ayes—Messrs. Bailey, Banks, Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—31.
Noes—None.

Title read and approved.

Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the purchase of ballot paper, for the forty-second fiscal year.

Bill read second and third times, and finally passed by the following vote:

Ayes—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Denison, Flint, Fraser, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—29.
Noes—None.

Title read and approved.

Senator Heacock moved that the Assembly Bills just passed as cases of urgency be transmitted forthwith to the Assembly.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 24, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 64—An Act making an appropriation to pay the claim of D. Jordan.

Also: Senate Bill No. 107—An Act to prevent damage from the overflow of artesian wells.

Also: Senate Bill No. 282—An Act to provide for the appointment of a Board of Sutter's Fort Trustees, and for the acquisition of the Sutter Fort property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Also: Senate Bill No. 415—An Act entitled an Act to amend section four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries.

RAGSDALE, Chairman.

MOTIONS.

Senator Goucher moved that Senate Bill No. 415 be immediately transmitted to the Assembly.

So ordered.

Senator Preston moved that Senate Bill No. 406 be recommitted to committee for amendment, and that it retain its place on file.

So ordered.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 224—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections one, two, three, four, eleven, twelve, thirty-five, and forty-two thereof, relating to irrigation districts.

On motion of Senator Goucher, Assembly Bill No. 224 was placed on Assembly special file for to-morrow.

Assembly Bill No. 60—An Act to add two new sections to article four of chapter eleven of title nine of part three of the Code of Civil Procedure of California, to be designated as sections one thousand seven hundred and two and one thousand seven hundred and three, and relating to the declination of testamentary trustees and the appointment of persons to fill vacancies resulting from such declination or otherwise.

Bill read second time.

RESOLUTION.

By Senator Heacock:

Resolved, That Assembly Bill No. 60 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times upon one day, and placed upon its passage.

The roll was called, and the resolution was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.

NOES—None.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Everett, Fraser, Harp, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

Title read and approved.

Senator Preston moved that substitute for Senate Bill No. 352 be ordered printed, and retain its place on the file.

So ordered.

SPECIAL ORDER.

Senator Hamill moved that Senate Bill No. 62, set as special order at this hour, be made a special order for Thursday, at three o'clock and thirty minutes P. M.

So ordered.

On motion of Senator Ostrom, the consideration of substitute for Senate Bills Nos. 8, 57, 123, and 369, was postponed until four o'clock.

Senator Mahoney moved that Senate Bill No. 639 be allowed to go over until Thursday, at three o'clock and thirty-five minutes P. M., and be made a special order at that time.

So ordered.

SPECIAL FILE OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 51—An Act relating to District Attorneys, their assistants and clerks, in counties, and cities and counties, having a population of more than one hundred and twenty-five thousand.

Bill read second time, and ordered on file for third reading.

On motion of Senator Streeter, Assembly Bill No. 353 was made a special order for Thursday, at ten o'clock A. M.

Assembly Bill No. 102—An Act to amend section seven hundred and fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendment thereto, approved March 19, 1889.

Bill read second time, and ordered on file for third reading.

Substitute for Assembly Bill No. 50—An Act to amend an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 197—An Act to amend section two thousand six hundred and eighty-four of the Political Code of the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 52—An Act to amend sections fifty-eight and seven

hundred and ninety-two of the Political Code, so as to authorize the appointment of women as Notaries Public.

The following committee amendment was adopted:

Insert the word "such" after the word "not" in line three, section one.

Bill read second time, ordered printed as amended, and on file for third reading.

Assembly Bill No. 155—An Act to define the qualifications of persons performing labor for the State of California, and fixing a penalty for the violation thereof.

Senator Heacock moved that Assembly Bill No. 155 be referred to Judiciary Committee.

So ordered.

SPECIAL ORDER.

Substitute for Senate Bills Nos. 8, 57, 123, and 369—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two hundred and fifty-nine of the Political Code, and to add four new sections thereto, to be numbered one thousand two hundred and thirteen, one thousand two hundred and fourteen, one thousand two hundred and fifteen, and one thousand two hundred and sixteen, all in relation to the conduct of elections in this State.

Senator De Long moved that the substitute be made a special order for Thursday at three o'clock and thirty minutes P. M., and that the rules be suspended at that time, to permit such substitute to take preference over all other matters.

Senator Ostrom moved to amend by making it a special order for to-morrow, at ten o'clock and thirty minutes A. M.

The ayes and noes were demanded by Senators Ostrom, Goucher, and Berry.

Senator Ostrom moved a call of the Senate.

Lost.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Banks, Berry, Britt, Goucher, Hamill, Harp, Mahoney, McComas, McGowan, Mead, Ostrom, Welch, and Williams (Wm. H.)—13.

NOES—Messrs. Bailey, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Everett, Fraser, Heacock, Maher, Preston, Ragsdale, Shippee, Simpson, Streeter, and Williams (Geo. H.)—18.

Senator Ostrom moved an amendment to the motion that it be made a special order for to-morrow, at seven o'clock and thirty minutes P. M.

The ayes and noes were demanded by Senators Ostrom, Berry, and Goucher.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Berry, Britt, Goucher, Hamill, Harp, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Simpson, Welch, and Williams (Wm. H.)—14.
NOES—Messrs. Bailey, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Everett, Maher, Preston, Ragsdale, Shippee, Streeter, and Williams (Geo. H.)—15.

The question recurring on the orignal motion of Senator De Long, the motion was carried.

Senator Mahoney moved to take up second reading file.

So ordered.

Senator Everett asked to withdraw Senate Bill No. 231 and substitute Senate Bill No. 50 therefor.

So ordered.

SECOND READING OF BILLS.

Senator Goucher asked permission to withdraw Senate Bill No. 58 and substitute therefor Senate Bill No. 295.

Granted.

Senate Bill No. 295—An Act to provide for the purchase of a portrait of ex-Governor Waterman by the State Board of Examiners, and to appropriate money therefor.

Bill read second time.

RESOLUTION.

By Senator Goucher:

Resolved, That Senate Bill No. 295 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times upon one day, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—Messrs. Berry and Ragsdale—2.

CASE OF URGENCY.

Senate Bill No. 295.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Denison, Everett, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McComas, Ostrom, Preston, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.
NOES—Messrs. Berry, Hamill, and Ragsdale—3.

Title read and approved.

Senator Goucher moved that the bill be immediately transmitted to the Assembly.

So ordered.

Senator Hamill moved that the Senate take a recess until seven o'clock and thirty minutes P. M.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Denison, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Simpson, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.) 22.

NOES—Messrs. Berry, Broderick, Crandall, De Long, McGowan, Ostrom, Preston, Ragsdale, and Shippee—9.

RECESS.

Thereupon, at four o'clock and fifty minutes P. M., a recess was declared until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thomas Fraser, President pro. tem. of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

SECOND READING OF BILLS.

Senator De Long asked permission to withdraw Senate Bill No. 40, and substitute therefor Senate Bill No. 393.

Granted.

Senator Carpenter moved that consideration of Senate Bill No. 43, made a special order for this hour, be made a special order for Friday, at seven o'clock and thirty minutes P. M.

So ordered.

Senator Campbell of Siskiyou asked for temporary leave of absence for Committee on Irrigation and Water Rights.

Granted.

Senate Bill No. 393—An Act authorizing certain corporations to act as executor, and in other capacities, and to provide for and regulate the administration of trusts by such corporations.

Bill read second time, ordered engrossed and on file for third reading.

Senator Ostrom asked leave of absence for Senator Goucher for this evening, on account of sickness.

Granted.

Senate Bill No. 109—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a section thereto, to be known as section one hundred and sixteen of said Act, relating to practice in township and municipal Courts.

Bill read second time, ordered engrossed and on file for third reading.

Senator Maher asked leave to withdraw Senate Bill No. 78, and substitute therefor Senate Bill No. 443.

Granted.

RESOLUTION—(OUT OF ORDER).

By Senator Dargie:

Resolved, That M. F. Dillon be and he is hereby appointed an Assistant Journal Clerk of the Senate, at the same per diem as the Journal Clerk, the same to be paid out of the Contingent Fund of the Senate, said appointment to date from this day.

Senator Dargie moved a call of the Senate.

Motion lost.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Solano, Carpenter, Dargie, De Long, Denison, Everett, Flint, Fraser, Hamill, Heacock, Maher, Mahoney, Preston, Ragsdale, Simpson, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—23.

NOES—Mr. Ostrom—1.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 443—An Act for the relief of Peter Connolly, his assigns or legal representatives.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 289, on motion of Senator McGowan, was passed on file.

Senate Bill No. 468—An Act to amend section fifty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to powers in appealed cases.

Bill read second time, and passed temporarily.

On motion of Senator McGowan, Committee Substitute for Senate Bill No. 288 was taken up.

Committee Substitute for Senate Bill No. 288—An Act to amend section one thousand nine hundred and sixty-two of the Code of Civil Procedure of California.

Substitute read first time.

Senate Bill No. 199—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

The following amendment was submitted by Senator G. H. Williams:

Amend by striking out of section five, line three, the words "in criminal cases only."

Adopted.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 201—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand five hundred and ninety-two, relating to mortgages, by executors, of real property belonging to the estates of decedents.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 218—An Act to amend section one thousand four hundred and sixty-eight of the Penal Code, relating to the filing and settlement of statements on appeal from Justices' or Police Courts.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 224 passed on file.

On motion of Senator McGowan, Senate Bill No. 346—An Act to appropriate the sum of three thousand one hundred dollars to purchase adjacent lands at San Quentin for the use of the State Prison, together with the improvements thereon—was substituted for Senate Bill No. 225.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 242—An Act to amend section three hundred and seventy-eight of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of the public health and safety, and registration of births, deaths, and marriages.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 355—An Act to amend section two thousand and thirty-one of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to the taking of depositions.

Bill read second time.

Senator Crandall moved to amend the title by inserting after the word "section," "two thousand and twenty-four and."

Adopted.

Bill ordered engrossed and on file for third reading.

Senate Bill No. 356—An Act to amend section nine hundred and thirty-nine of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to appeals.

Senator Crandall moved to amend by striking out of section one, line eighteen, after the word "order," the word "of," and inserting the following in lieu thereof: the word "or."

Adopted.

Bill read second time, ordered engrossed and on file for third reading.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 24, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 647—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887; and section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885, relating to liens of mechanics and others—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 638—An Act to amend section seven hundred and thirty-seven of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts of the City and County of San Francisco, and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, and Calaveras.

Also: Senate Bill No. 633—An Act to amend section four hundred and twenty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to infraction of the revenue law.

Also: Senate Bill No. 634—An Act to amend section three thousand six hundred and thirty of an Act entitled "An Act to establish a Political Code," relative to revenue, approved March 12, 1872.

Also: Senate Bill No. 651—An Act to amend section four hundred and ninety-four and section one thousand and fifty-seven of the Code of Civil Procedure.

Also: Senate Bill No. 632—An Act to amend section one hundred and thirty-seven of the Civil Code of the State of California, relating to alimony, the expense of an action for divorce, and the action for permanent support and maintenance.

Also: Senate Bill No. 650—An Act to amend section one thousand two hundred and seventy-nine of the Penal Code, relating to the qualifications of bail.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SPRAGUE, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 24, 1891.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bills Nos. 660, 661, 662, 663, 664, and 665—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

DE LONG, Chairman.

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, February 24, 1891.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Senate Joint Resolution No. 13—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 652—An Act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now resident of this State, and fixing penalties and punishments for violation of this Act, and providing for deportation of criminals—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. H. WILLIAMS, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Senator De Long: Senate Bill No. 684—An Act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein, and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve.

Referred to Committee on Judiciary.

Also: Senate Bill No. 685—An Act authorizing the State Board of Examiners to sell old furniture, and all material belonging to the State, and not required for public use.

Referred to Committee on Finance.

MOTIONS.

Senator Carpenter moved that Senate Bill No. 468, with pending amendment, be made a special order for to-morrow, at seven o'clock and thirty minutes P. M.

So ordered.

Senator Heacock moved that Senate Bills No. 454 and 455 be placed at foot of special file to-morrow.

So ordered.

Senator Harp moved that substitute for Senate Bill No. 252 be placed at head of special file to-morrow.

So ordered.

Senator Hamill moved that Senate Bill No. 530 be placed on special file to-morrow.

So ordered.

On motion of Senator Crandall, Senate Bill No. 357 was ordered reprinted.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 182—An Act to amend section four hundred of the Civil Code of the State of California.

The committee amendment to strike out section two was adopted.

Bill read second time, ordered engrossed as amended, and on file for third reading.

Senator Carpenter gave notice that he would, on to-morrow, move to reconsider the vote by which the committee amendment to Senate Bill No. 182 was adopted.

Senate Bill No. 296—An Act to add a new section to the Political

Code, to be known as section seven hundred and ninety-three, relating to qualifications of Notaries Public.

Bill read second time.

Committee amendment to strike out all of section two was adopted.

Bill ordered engrossed as amended, and on file for third reading.

Senate Bill No. 378—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section two thousand five hundred and eighty-seven, relating to policies of insurance.

Bill read second time.

Committee amendment to strike out section two was adopted.

Bill ordered engrossed as amended, and on file for third reading.

Senator Campbell of Solano asked leave to withdraw Senate Bill No. 159, and substitute Senate Bill No. 153 therefor.

So ordered.

Senate Bill No. 153—An Act to provide fire escapes in hotels.

The following committee amendments were submitted:

Amend title by inserting after the word "hotels" the words "boarding houses and lodging houses."

Adopted.

In section one, line two, after the word "hotel" insert "boarding house or lodging house."

Adopted.

Senate Bill No. 270—An Act to amend section one thousand two hundred and forty-six of the Penal Code, relating to the cost of appeals in criminal cases.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 546—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll tax.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 94 passed on file.

MOTION.

Senator Heacock moved to adjourn.

The ayes and noes were demanded by Senators Harp, Preston, and Maher.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Carpenter, Crandall, Denison, Fraser, Harp, Heacock, Maher, Mahoney, McComas, Mead, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—17.

NOES—Messrs. Banks, Britt, Dargie, De Long, Everett, McGowan, Ostrom, Welch, and Williams (Wm. H.)—9.

ADJOURNMENT.

Thereupon, at nine o'clock and fifty minutes P. M., the Senate was declared adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 25, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Mead moved that further reading of the Journal be dispensed with.

So ordered.

PRESENTATION OF PETITIONS.

By Senator Ostrom: Petition from residents of Yolo and Colusa Basin, lying north of the Knight's Landing Bridge, and on the northwest side of the Sacramento River, relative to Senate Bill No. 562.

By Senator McComas: With six thousand seven hundred and thirty-five names of residents and citizens of California, relative to Senate Bill No. 504.

MOTION.

Senator Everett moved that substitute for Senate Bill No. 50 be ordered printed.

So ordered.

REPORT OF STANDING COMMITTEE.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 24, 1891.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Assembly Joint Resolution No. 2—have had the same under consideration, and respectfully report a committee substitute, and recommend that it do pass.

DRAY, Chairman.

MOTION.

Senator Dray moved that Assembly Joint Resolution No. 2 be considered immediately.

So ordered.

ASSEMBLY JOINT RESOLUTION No. 2.

Relative to Sacramento River and adjoining lands.

Resolved by the Assembly of the State of California, the Senate concurring, That whereas, there is a navigable stream within the borders of the State of California known as the Sacramento River, which stream runs through the whole length of the Sacramento Valley, a distance of three hundred miles and upwards; and whereas, said valley contains an acreage of agricultural lands equal to nearly one third of all the agricultural lands within said State; and whereas, fully ten per cent of said valley has been and is being wholly destroyed by the overflow of said Sacramento River, which destruction and overflow is due to the neglect by the Government of its river; and whereas, hundreds of prosperous and happy homes have been wholly ruined and rendered desolate by such destruction and overflow, thus depriving the citizens of this State of their property, and greatly reducing the revenues of this State, by thus rendering the property of its citizens of no taxable value; and whereas, the maintenance of said river in a navigable condition is of paramount importance to all of the citizens of this State; and whereas, the navigation at this time is only passable with vessels drawing from eight to twenty-four inches of water, except in times of flood; and whereas, prior to said neglect, said river was navigable for many miles beyond where it is now navigable, and that such navigation was practicable with vessels drawing ten feet of water; and whereas, said river, in a navigable condition for large vessels, would be of great benefit to the whole United States in case of invasion by a foreign power or insurrection at home; and whereas, unless the Congress of the United States takes some immediate action to prevent the destruction of navigation upon said river, and to restore it to a navigable condition for vessels of deep draught, in a few years more the navigation of said river must cease, and not only ten per cent of all the lands of the great Sacramento Valley will be valueless, but at least ten per cent more of such lands will become a dismal swamp, and where now is seen splendid orchards, smiling fields of cereals, and rich meadows, will be seen a waste of tules, breeding disease and death; and whereas, the Congress of the United States has, by the Constitution of the United States, been given the exclusive jurisdiction and control over all navigable streams within the United States; and whereas, Congress annually appropriates many millions of dollars to maintain the navigability of waterways in other States of this Union, that are of no greater importance to the people of the United States than is the Sacramento River; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That it is the sense of the people of this State that the Congress of the United States should, in justice to the United States and to the people of this State, appropriate at least one million of dollars to be used in maintaining and restoring said river to a navigable condition; and to that end, this Assembly and Senate earnestly request our Senators and Represenatives at Washington to use all reasonable and honorable efforts to secure the appropriation of one million of dollars, to be at once expended, under the direction and control of the War Department of the United States, in restoring and maintaining the navigation of said river, and thereby preventing the destruction of the private property of the citizens of this State, and maintaining for the people of California its chief inland waterway, so indispensable to their future financial welfare.

Resolved, That a copy of this preamble and resolution be forthwith forwarded to our Senators and Representatives at Washington, under the seal of this State, by the Governor of this State.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—32.

NOES—None.

Senator Ostrom moved that the resolution be immediately transmitted to the Assembly.

So ordered.

On motion of Senator W. H. Williams, the Journal of February 20, 1891, was approved.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, February 25, 1891.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Senate Bills Nos. 607 and 608—have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bills Nos. 279 and 610—have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 649—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

R. H. CAMPBELL, Chairman.

ON PUBLIC PRINTING.

SENATE CHAMBER, SACRAMENTO, February 24, 1891.

MR. PRESIDENT: Your Committee on Public Printing, to whom was referred Senate Bill No. 625—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

STREETER, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 167—An Act creating a lien in favor of owners, or those in charge of stallions, jacks, and bulls duly licensed and used for propagation purposes, and providing for the operation of such lien.

Also: Amended and passed as amended Senate Bill No. 74—An Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire.

Also: Concurred in Senate amendments to Assembly Bill No. 106.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Senator Dray moved that the Senate do not concur in Assembly amendment to Senate Bill No. 74, and that a committee of three be appointed by the Chair to confer with a committee from the Assembly, relative to the Assembly amendment.

So ordered.

The Chair appointed Senators Dray, Crandall, and Ostrom.

INTRODUCTION OF JOINT RESOLUTION.

By Senator Campbell of Siskiyou:

SENATE JOINT RESOLUTION No. 24.

WHEREAS, Among the various departments of the Columbian World's Exposition, to be held at Chicago in 1893, the interests of California and the Pacific Coast are deeply interested in the Department of Horticulture, Viticulture, and Floriculture; and whereas, the State of California enjoys a universally acknowledged preëminence in the fruit and wine industries of the United States; and whereas, every consideration of fairness and propriety demands that the chief horticultural State of the Union should be accorded the head of this department; therefore,

Resolved, That the Director-General of the World's Fair be and he is hereby most earnestly requested to select as Chief of the Department of Horticulture, Viticulture, and Floriculture, some citizen of California.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Hamill, Harp, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, and Williams (Wm. H.)—30.

NOES—None.

RESOLUTION.

By Senator Dray:

Resolved, That Senate Bills Nos. 454 and 455 present a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times upon one day, and placed upon their passage.

The roll was called, with the following result:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—31.
NOES—None.

LEAVE OF ABSENCE.

Senator Dray asked leave of absence for Senator Heacock on account of sickness.

Granted.

CASES OF URGENCY.

Senate Bill No. 454—An Act to amend section two hundred and fifty-six of the Political Code of the State of California, to provide for the printing of the daily Journal of each House of the Legislature, and to repeal section two hundred and fifty-seven of said Code.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—None.

Title read and approved.

Senate Bill No. 455—An Act adding a new section to the Political Code of the State of California, to be known and designated as section five hundred and thirty-nine, relative to the engrossment and enrollment of bills and other documents, and repealing sections two hundred and forty-eight and two hundred and forty-nine of said Code.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—None.

Title read and approved.

RESOLUTION.

By Senator Simpson:

Resolved, That Senate Bill No. 561 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times upon one day, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—None.

CASE OF URGENCY.

Senate Bill No. 561—An Act to extend the jurisdiction of the Board of State Harbor Commissioners over East Street, San Francisco.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.
NOES—None.

Title read and approved.

RESOLUTION.

By Senator Ostrom:

Resolved, That Senate Bill No. 126 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Senator Carpenter moved that Senate Bill No. 126 be referred to Committees on State Prisons and Prison Buildings, and Finance.

Senator Mead moved to amend by adding that the committees be ordered to report at seven o'clock and thirty minutes P. M. on Friday next.

Amendment accepted by Senator Carpenter.

Senator Ostrom moved to amend by adding that the bill be made a special order for Friday, at seven o'clock and thirty minutes P. M.

Amendment accepted by Senator Carpenter.

The motion, as amended, carried.

SPECIAL FILE—RESOLUTION.

By Senator Dray:

Resolved, That substitute for Senate Bill No. 252 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times upon one day, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—32.
NOES—None.

Substitute for Senate Bill No. 252—An Act for the relief of the heirs of Michael Curran, deceased.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Brynes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Fraser, Goucher, Hamill, Harp, Maher, McComas, Shippee, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—23.
NOES—None.

Title read and approved.

Senator Harp moved that the bill be immediately transmitted to the Assembly.

So ordered.

Senate Bills Nos. 388 and 408 passed on file.

Senate Bill No. 530, omitted from file to-day, was then considered.

Senate Bill No. 530—An Act to provide for payment for private property heretofore taken for public use.

On motion of Senator Hamill, the Secretary was instructed to correct an error made by printer in numbering section two, and that it take its place on the special file.

So ordered.

Senate Bill No. 274, and Senate Constitutional Amendments Nos. 5, 8, 19, and 20, passed on file.

Senate Constitutional Amendment No. 1—Constitutional amendment to propose to the people of the State an amendment to the Constitution of the State, relative to the taxation of mortgages and deeds of trust.

Senator Hamill moved to amend by striking out of section one, line five, the words: "mortgages, trust deeds."

Roll call demanded by Senators Fraser, Carpenter, and McGowan, and the amendment adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Maher, McGowan, Ostrom, Preston, Ragsdale, Shippee, Simpson, Voorhies, Welch, and Williams (Geo. H.)—25.

NOES—Messrs. Bailey, Carpenter, McComas, Sprague, and Streeter—5.

Senator Carpenter moved to indefinitely postpone Senate Constitutional Amendment No. 1.

The roll was called, and the motion prevailed by the following vote:

AYES—Messrs. Bailey, Byrnes, Carpenter, Denison, Dray, Fraser, Maher, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—17.

NOES—Messrs. Banks, Berry, Britt, Crandall, Everett, Goucher, Hamill, Harp, McGowan, Ragsdale, Seawell, and Welch—12.

Senate Bill No. 643 passed on file.

Senate Bill No. 324 passed on file, on motion of Senator W. H. Williams.

Senate Bill No. 391—An Act to provide for the payment of the Controller of State's warrants which have been lost or destroyed previous to payment by the State Treasurer.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.

NOES—None.

Title read and approved.

Senator Goucher moved that Senate Constitutional Amendment No. 21 be stricken from the file.

So ordered.

Assembly Constitutional Amendment No. 5 ordered returned to the Assembly, to be correctly engrossed.

Senate Bill No. 618—An Act to amend section three thousand eight

hundred and sixty-six of the Political Code, relating to the time of settlement of County Treasurers with the State Controller.

Bill read first time.

Senate Bill No. 619—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, in relation to the duties of County Auditors in making settlement with the State Controller.

Bill read first time.

THIRD READING OF BILLS.

Senate Bill No. 256—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Bill read third time.

Senator Ragsdale moved that Senator Dray be appointed a special committee of one to make the following amendment:

Amend by striking out of section two thousand nine hundred and eighty-four, line one, the words, "State Board of Health," and inserting the following: "Governor of the State;" also, by inserting after the word "expense," in line six, the words "not exceeding two thousand dollars per annum."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 25, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 256, with instructions to amend, has had the same under consideration, and respectfully report the same back, amended as per your instructions.

DRAY, Committee.

Report of committee adopted.

Bill ordered engrossed, and printed as amended.

Senator McGowan moved that Senate Bill No. 115, and substitute for Senate Bill No. 169, be passed on file.

So ordered.

Senate Bills Nos. 267, 287, 61, and 124 passed on file.

Senate Bill No. 200—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuation of administration upon the estates of deceased persons.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Fraser, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—30.

NOES—None.

Title read and approved.

Senate Bill No. 326—An Act to amend an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor," approved March 15, 1887.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Voorhies, and Williams (Wm. H.)—27.
NOES—None.

Title read and approved.

Senate Bill No. 500—An Act to add an additional section to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorney.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Preston, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—Messrs. Goucher and Ostrom—2.

Title read and approved.

Senator Dray gave notice that on to-morrow he would move to reconsider the vote by which Senate Bill No. 500 was finally passed.

Senate Bill No. 569 passed on file.

RECESS.

At twelve o'clock and thirty minutes the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

REPORTS OF STANDING COMMITTEES.

ON COUNTIES, COUNTY GOVERNMENTS, AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 25, 1891.

MR. SPEAKER: Your Committee on Counties, County Governments, and Township Organization, to whom was referred Senate Bill No. 674—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. J. CAMPBELL, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 25, 1891.

MR. PRESIDENT: Your Committee on Claims beg leave to make the following report: That they have considered Senate Bill No. 579, and report the same back, with an amendment, and recommend the passage of said bill as amended.

FRASER, for Committee.

MOTION.

Senator Crandall moved that all bills appearing on the special file of Assembly Bills, beginning with No. 43 and ending with No. 49, be referred to the proper committees for their consideration.

Motion lost.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 53—An Act to amend section two thousand and twenty-four of the Code of Civil Procedure, relative to the manner of taking depositions out of the State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 54—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure, relating to the service of summons in actions in Justices' Courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 56—An Act to amend section one hundred and twenty-eight of the Civil Code of the State of California, relative to actions in divorce cases.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 58—An Act to amend section one thousand two hundred and five of the Penal Code, relating to fines and imprisonment.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 66—An Act authorizing incorporated cities to acquire, by gift, purchase, or condemnation proceedings, water, water rights, reservoir sites, rights of way, and other appliances for supplying such cities and their inhabitants with water.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 101—An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale.

Bill read second time, and ordered on file for third reading.

Senator Goucher moved that Assembly Bill No. 36 be passed on file, and that Senate Bill No. 500 be grouped with it, and they be placed on special file.

So ordered.

Assembly Bill No. 129—An Act to add an additional section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain a divorce, or to aid therein.

Bill read second time.

The following committee amendment was submitted:

"Strike out all of lines seven and eight of the printed bill."

Adopted.

Senator Crandall moved to amend by striking out of line six the words "or elsewhere."

Adopted.

Bill ordered printed as amended.

Assembly Bill No. 20—An Act to amend section four hundred and eight of the Code of Civil Procedure.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 214—An Act to amend section eight hundred and seventy-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 215—An Act to amend section seven hundred and seventy-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 34—An Act concerning the costs in civil actions for serving summonses and subpœnas.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read first time.

Assembly Bill No. 413—An Act making an appropriation to pay the deficiency in the appropriation for repairs for State Capitol building and furniture, for the forty-first fiscal year.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 224—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections one, two, three, four, eleven, twelve, thirty-five, and forty-two thereof, relating to irrigation districts.

Senator Goucher moved that amendments be received for information only, at this time, and not for consideration this day.

So ordered.

The following amendments were then submitted:

By Senator Crandall:

Amend by adding to section two at end of line forty-six the words, "and shall be a freeholder in such districts, assessed on the last preceding assessment roll prior to such election as the owner of real property in said districts other than town, village, or city property."

By Senator Berry:

Section one: Strike out in line two of section one the words, "holders of title or evidence of title to," and insert in lieu thereof the words "freeholders owning."

Also:

In line three of section one, after the word "lands," insert "other city, town, or village lands."

Also:

Strike out lines eight, nine, and ten of section one.

Also:

Amend section two by striking out the words "holders of title of such proposed district evidenced as above provided," in lines four and five, and insert in lieu thereof the words: "freeholders owning lands as aforesaid, other than city, town, or village lands."

By Senator Crandall:

Amend section three by striking out all of line ten, after the word "offices;" also, line eleven and all of line twelve before the word "said" in said line twelve.

By Senator Goucher:

Amend the amendment by striking out of section three, line ten, all after the word "offices;" also, strike out all of lines eleven and twelve to and including the word "district," and insert in lieu thereof the following: "and no action shall be commenced or maintained or defense made affecting the validity of the organization unless the same shall have been commenced or made within two years after the making and entering of said order."

By Senator Bailey:

SEC. 3. Section five of said Act is hereby amended so as to read as follows:

Section 5. If, upon the hearing of any such petition, no evidence or proofs in support thereof be introduced, or if the evidence fail to sustain said petition, and if the Board deem it not for the best interests of the district that the lands or some portion thereof mentioned in the petition should be excluded from said district, the Board shall order that said petition be denied; but if they deem it for the best interests of the district that the lands mentioned in the petition or some portion thereof be excluded from the district, and if no person interested in the district show cause, in writing, why the said lands or some portion thereof should not be excluded, or if having shown cause, withdraws the same, and, also, if there be no outstanding bonds of the district, or if upon such hearing it shall appear from the evidence and proofs introduced that said lands or the greater portion thereof cannot be irrigated from a common source and by the same system of works with the other lands of said district, or from the source selected, chosen, or provided for such irrigation, or that said lands will not be benefited by said system of irrigation, or that said lands or the greater portion thereof are already irrigated from another source, or that said lands or the greater portion thereof can be so irrigated more speedily, cheaply, beneficially, or advantageously to the owner or owners thereof than from the source selected, provided, or chosen for the other lands in said district, then it shall be the duty of the Board to, and it shall forthwith make an order that the said lands or some defined portion thereof be excluded from said district. If the Board should deny any such petition upon the hearing of which evidence as aforesaid was introduced, an appeal may be taken from the decision of said Board within ten days after notice thereof shall have been served upon the petitioner or petitioners, to the Board of Supervisors of the county wherein said lands are situate, by filing with the Clerk of said Board of a notice of appeal from such decision, and within thirty days after the filing of such notice of appeal the Secretary of such Board of Directors of said irrigation district shall transmit to the Clerk of the said Board of Supervisors the record of the evidence taken before the said Board of Directors on the hearing of such petition, and all orders or proceedings had or taken in the matter; and upon such record and such other and additional evidence as the parties may produce, the said Board of Supervisors shall hear and determine the said petition, and either deny or grant the same, in whole or in part, and make an order excluding, in whole or in part, the lands therein described from said district, or an order refusing so to do.

If, however, said petitioner or petitioners should not choose to appeal to the said Board of Supervisors from the decision of the Board of Directors, he or they shall have the right, provided the same shall be exercised within twenty days after notice of such decision shall have been served upon him or them, to institute an action, as plaintiff or plaintiffs, against the said Board of Directors, as defendants, in the Superior Court of the county in which the lands of the district, or some portion thereof, are situated, for the purpose of obtaining a judgment of said Court that the lands mentioned in said petition should be excluded from said district. Such action shall be commenced by the filing of a complaint in said Superior Court by said petitioner or petitioners as plaintiff or plaintiffs. A summons shall thereupon be issued on said complaint, directed to the Board of Directors of said district, and requiring said Board to appear and answer said complaint within ten days after the service thereof, and in all other respects be in the form prescribed for summonses in civil actions. The complaint shall state the facts showing the organization of the district and the proceedings had before the Board of Directors in the matter of the plaintiff's petition for the exclusion of his lands from such district, and shall also state, according as the fact or facts shall be, either that the said lands, or the greater portion thereof, cannot be irrigated from a common source and by the same system of works with the other lands of said district, or that the same cannot be irrigated from the source selected, chosen, or provided for the irrigation of the lands of such district, or that said lands will not be benefited by said system of irrigation, or that said lands, or the greater portion thereof, are already irrigated from another source, or that said lands, or the greater portion thereof, can be so irrigated more speedily, cheaply, beneficially, or advantageously to the owner or owners thereof than from the source selected, provided, or chosen for the other lands in said district. At the time fixed in said summons for answering or

demurring to the said complaint, the defendants in said action may demur to or answer the same. The rules of pleading and practice provided by the Code of Civil Procedure, which are not inconsistent with the provisions of this Act, are hereby made applicable to the action and proceeding herein provided for. Upon the hearing and trial of such action, the Court shall have power and jurisdiction, and it shall be its duty to determine, upon such evidence as may be introduced by the parties thereto, the issues of fact raised by the pleadings in said action, and to find upon such issues, in the mode prescribed by the Code of Civil Procedure for findings in other civil actions, and to render judgment therein in accordance with such findings. If the Court should find that said lands, or the greater portion thereof, mentioned and described in the complaint in said action, cannot be irrigated from a common source and by the same system of works with the other lands of said district, or from the source selected, provided, or chosen for such irrigation, or that said lands will not be benefited by said system of irrigation, or that said lands, or the greater portion thereof, are already irrigated from another source, or that said lands, or the greater portion thereof, can be so irrigated more speedily, cheaply, beneficially, or advantageously to the owner or owners thereof than from the source selected, provided, or chosen for the other lands in said district, then it shall be the duty of the Court to make and cause to be entered a judgment and decree in said action ordering, adjudging, and decreeing that said lands shall be excluded from said irrigation district, and thereafter said lands shall no longer form any part of or be included within said irrigation district.

An appeal from an order granting or refusing a new trial, or from the judgment in said action, must be taken by the party aggrieved within thirty days after the entry of said order or said judgment.

Upon the making of any order by the Board of Directors or the Board of Supervisors, or the making and entry of a judgment of the Superior Court, excluding lands from the district, the Board of Directors shall make a further order describing the boundaries of the district, should the exclusion of said lands change the boundaries of the district; and for that purpose the Board may cause a survey to be made of such portions of the boundaries as the Board may deem necessary.

If there be no outstanding bonds of the district prior to or at the time of the filing of any petition for exclusion herein above provided for, no bond or bonds shall be issued or sold until the final determination of such petition or the expiration of the time for appeal from the decision of the Board of Directors, and the expiration of the time for bringing the action in the Superior Court herein above provided for, nor after the institution of such action until the final determination thereof, or the expiration of the time for appeal from the judgment of the Superior Court in such action.

Senator Goucher moved that Assembly Bill No. 224 be made a special order for to-morrow, at eleven o'clock A. M.

So ordered.

RESOLUTION.

By Senator Dray:

Resolved, That Cornelius Peck is hereby appointed Rear Porter of the Senate, at a per diem of four dollars, the same to be paid out of the Contingent Fund of the Senate, from and after February twenty-sixth, inclusive.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Campbell of Siskiyou, Carpenter, Denison, Dray, Flint, Fraser, Hamill, Harp, McComas, Mead, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.) 23.

NOES—None.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 51—An Act relating to District Attorneys, their assistants and clerks, in counties, and cities and counties, having a population of more than one hundred and twenty-five thousand.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Mahoney, McGowan, Mead, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—None.

Title read and approved.

Assembly Bill No. 102—An Act to amend section seven hundred and

fifty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and the amendment thereto, approved March 19, 1889.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Mahoney, McComas, McGowan, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.
NOES—None.

Title read and approved.

Senator Preston gave notice that he would on to-morrow move to reconsider the vote by which Assembly Bill No. 102 was finally passed.

Assembly Bill No. 197—An Act to amend section two thousand six hundred and eighty-four of the Political Code of the State of California.

Bill read third time.

Senator McGowan submitted the following amendment to the title:

Add after the word "California" the words "relating to highways and the appointment of viewers therefor."

Adopted.

Bill finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—None.

Title read, as amended, and approved.

Assembly Bill No. 52—An Act to amend sections fifty-eight and seven hundred and ninety-two of the Political Code, so as to authorize the appointment of women as Notaries Public.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

Title read and approved.

THIRD READING OF BILLS.

On motion of Senator Hamill, Senate Bill No. 64 was passed on file.

At three o'clock and forty minutes P. M., the expiration of the time set for the consideration of Assembly Bills, Senator Hamill moved that the rules be suspended and that the Senate conclude the special Assembly file.

The roll was called, and the motion prevailed by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—Messrs. Bailey, Crandall, and Dray—3.

SPECIAL FILE OF ASSEMBLY BILLS—(RESUMED).

Assembly Joint Resolution No. 3—Relative to foreign immigration. Amended by Senator Campbell of Solano:

In line next to last insert after the word "transmit," the words "by telegram."

Adopted.

ASSEMBLY JOINT RESOLUTION No. 3.

Relative to foreign immigration to the United States.

WHEREAS, The State of California looks with alarm upon the unrestricted immigration of the illiterate and unassimilative classes of Europe to the United States; and whereas, it is plain to the intelligence of the whole nation that every legitimate agency should be invoked to preserve our public lands from alien ownership, to shield American labor from destructive competition, and to protect our political institutions from the corrupting influences of the dangerous and disturbing elements that come from Abroad; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That we instruct our Senators and request our Representatives in Congress from this State to introduce and advocate such measures of national legislation as will effectually put a stop to undesirable immigration to the United States, and at the same time preserve our public lands, and the power of our suffrages, to those who are justly entitled to them by reason of intelligent interests and love of country; and be it

Resolved, That the Governor be requested to transmit, by telegram, to each of our Senators and Representatives in Congress a copy of these resolutions.

The roll was called, and the resolution, as amended, adopted by the following vote:

AYES—Messrs. Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—Mr. Carpenter—1.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 25, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 446—An Act for the relief of Peter Connolly, his assigns or legal representatives.

Also: Senate Bill No. 182—An Act to amend section four hundred of the Civil Code of the State of California.

Also: Senate Bill No. 479—An Act to provide for the establishment of High Schools in the State of California.

Also: Senate Bill No. 378—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section two thousand five hundred and eighty-seven, relating to policies of insurance.

Also: Senate Bill No. 117—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service and upon the public works of the State of California of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

Also: Senate Bill No. 296—An Act to add a new section to the Political Code, to be known as section seven hundred and ninety-three, relating to qualifications of Notaries Public.

Also: Senate Bill No. 355—An Act to amend section two thousand and thirty-one of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to the taking of depositions.

Also: Senate Bill No. 124—An Act to amend section one hundred and three of the Code of Civil Procedure, relating to Justice's Courts.

Also: Substitute for Senate Bill No. 252—An Act for the relief of the heirs of Michael Curran, deceased.

Also: Senate Bill No. 561—An Act to extend the jurisdiction of the Board of State Harbor Commissioners over East Street, San Francisco.

HAMILL, of Committee.

Senator Goucher moved to make Senate Bill No. 443 a special order for to-morrow, at four o'clock and ten minutes P. M.

So ordered.

President pro tem. Fraser in the chair.

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, February 25, 1891.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Senate Joint Resolution No. 25—Relative to memorializing Congress on reopening the hydraulic mines—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

VOORHIES, Chairman.

ON PUBLIC, SWAMP, AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 25, 1891.

MR. PRESIDENT: Your Committee on Public, Swamp, and Overflowed Lands, to whom was referred Senate Bill No. 657—An Act to amend section three thousand four hundred and sixty of the Political Code of the State of California, in reference to making assessments on land in swamp land districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DRAY, Chairman.

FIRST READING OF BILLS.

Assembly Bill No. 39—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of the State of California, relative to the place of trial of certain actions, where a county or city is a party and a citizen or corporation, resident of another county, is sued by a county or city.

Bill read first time.

ASSEMBLY JOINT RESOLUTION No. 10.

Relating to the fostering of American shipping.

WHEREAS, The honorable House of Representatives has now under consideration the enactment of legislation for the protection of American shipping in the foreign trade, and for the ocean transportation of the United States mails in American steamships; and whereas, an American merchant marine is of great importance to our country as a source of wealth in time of peace, and will furnish seamen to man our navy in time of war; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, We respectfully request Congress to enact the provisions for the protection and promotion of our merchant marine until the American flag shall be again floated by the peaceful carriers of commerce on every sea, and the United States mails transported to all quarters of the globe on American steamships.

Resolved, That attested copies of these resolutions be forwarded to both Houses of Congress now in session, and filed with the honorable Secretary of State of the United States at Washington, D. C.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Hamill, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—None.

Assembly Bill No. 271—An Act to amend section two thousand six hundred and eighty-one of an Act entitled "An Act to establish a Political Code."

Bill read first time.

Assembly Bill No. 280—An Act making an appropriation to pay for the maintenance of the Reform School for Juvenile Offenders, from

January 1, 1891, to June 30, 1891, and making an appropriation for extra work, materials, and labor furnished in erection of buildings of said reform school, and making an appropriation for payment of insurance on said reform school building.

Bill read first time.

LEAVE OF ABSENCE.

Senator Campbell of Solano was granted leave of absence for the balance of the day.

Assembly Bill No. 693—An Act entitled an Act to amend section five hundred and thirty-one of the Political Code.

Bill read first time.

Assembly Bill No. 694—An Act to amend sections three hundred and thirty-two, three hundred and thirty-three, and three hundred and thirty-four of the Political Code.

Bill read first time.

Assembly Bill No. 185—An Act to create the county of Glenn, to establish the boundaries thereof, and to provide for its organization.

Bill read first time.

ASSEMBLY JOINT RESOLUTION No. 4.

Relating to the improvement of Humboldt Bar.

WHEREAS, The Government improvements now under way at Humboldt Bar, California, designed to afford a deep and safe entrance to Humboldt Bay, are progressing too slowly to be of any immediate benefit, and unless a large amount shall be appropriated and immediately expended thereupon, the work already done is likely to be very much diminished in value; and whereas, the great and growing interests of Northern California imperatively demand that the improvements to Humboldt Bar shall no longer be delayed, but that such improvements be carried forward on a more energetic plan, and pushed to an early completion; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That the Senators in Congress from this State are instructed, and the Representatives requested to use, their utmost endeavors to obtain a larger appropriation for, and authority for more energetic and expeditious work on the Government improvements to Humboldt Bar; and be it

Resolved, That the Governor be requested to transmit to each of our Senators and Representatives in Congress a copy of these resolutions.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Denison, Flint, Fraser, Harp, Maher, Mahoney, McComas, McGowan, Mead, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—None.

Assembly Bill No. 244—An Act to amend section six hundred and thirty-seven of the Penal Code of the State of California, relating to the construction and repairing of fish ladders or dams, and other obstructions, in the running waters of this State.

Bill read first time.

Assembly Bill No. 110—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved

March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,'" approved March 9, 1889.

Bill read first time.

Assembly Bill No. 432—An Act to provide for furnishing assistants to every attorney and counselor, City Attorney, and City and County Attorney, and to each law officer, of whatever official name he may be designated, officially conducting the civil litigation of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated as officers of each city, or city and county, and establishing the compensation and prescribing the duties of such assistants.

Bill read first time.

SUBSTITUTE FOR ASSEMBLY BILL No. 50.

An Act to amend section five of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section five of the Act, the title of which is recited in the title hereof, is hereby amended so as to read as follows:

Section 5. No city, town, or municipal corporation shall incur an indebtedness for public improvements which shall, in the aggregate, exceed fifteen per cent of the assessed value of all the taxable real estate and personal property of such city, town, or municipal corporation.

SEC. 2. This Act shall go into effect from and after its passage.

Bill read third time, and on motion of Senator Dray, was ordered placed at head of to-morrow's special file.

MOTION.

Senator Hamill moved that the constitutional provision be temporarily suspended, and that the Senate proceed under the head of Introduction of Bills.

The roll was called, and the motion prevailed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—None.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Senator Hamill: Senate Bill No. 686—An Act to legalize conveyances made to or by homestead associations and homestead corporations after the expiration of the period for which such associations and corporations were formed, and to give surviving Directors power to settle the affairs of such corporations.

Referred to Committee on Judiciary.

Senator Ragsdale moved that the constitutional provisions be suspended temporarily, and that introduction of bills be considered.

The roll was called, and the motion prevailed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—None.

By Senator Ragsdale: Senate Bill No. 687—An Act to amend section two of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, an Act to repeal an Act, approved March 15 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State.'"

Referred to Committee on Corporations.

MOTION.

Senator W. H. Williams moved that Senate Bill No. 324 be now taken up and considered.

So ordered.

THIRD READING OF BILLS.

Senate Bill No. 324—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

On motion of Senator W. H. Williams, a call of the Senate was ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

On motion of Senator W. H. Williams, further proceedings under the call of the Senate were dispensed with.

Senator W. H. Williams again moved a call of the Senate.

Motion adopted.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Senator Broderick moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

Senator Ostrom moved that Senator Berry be appointed a special committee of one, to amend by striking out all of section five of the bill.

Motion lost.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Dargie, Denison, Everett, Goucher, Harp, Maher, Mahoney, McComas, Mead, Preston, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—Messrs. Ostrom, Ragsdale, and Voorhies—3.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Maher:

Resolved, That the Controller be and he is hereby directed to draw his warrant for the sum of sixteen dollars and eighty cents in favor of each of the following Senators, viz.: T. C. Maher, J. H. Mahoney, and J. W. Welch, the same being for mileage of said Senators in traveling to San Francisco and return, while acting as a sub-committee from the Committee on Labor and Capital, to inquire into the merits of Senate Bill No. 639, providing for the employment of destitute citizens, the above amount to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 744—An Act making an appropriation for the contingent expenses of the Assembly.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

RESOLUTION—(OUT OF ORDER).

By Senator Dray:

Resolved, That Assembly Bill No. 744 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times upon one day, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.

NOES—None.

Assembly Bill No. 744—An Act making an appropriation for the contingent expenses of the Assembly.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, and Williams (Wm. H.)—25.

NOES—None.

Title read and approved.

Assembly Bill No. 744 ordered transmitted immediately to the Assembly.

RECESS.

At five o'clock and twenty minutes P. M., on motion of Senator Mead, the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thos. Fraser, President pro tem. of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Banks, Berry, Britt, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Evereit, Flint, Fraser, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

On motion of Senator Britt, substitute for Senate Bill No. 163 was ordered printed.

SPECIAL ORDER.

Senate Bill No. 468—An Act to amend section fifty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to powers in appealed cases.

The following committee amendment was submitted:

Strike out all of section two.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Broderick, Carpenter, and Denison—3.

NOES—Messrs. Banks, Berry, Britt, Campbell of Siskiyou, Crandall, Dray, Everett, Flint, Fraser, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Simpson, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—23.

Bill ordered to engrossment, and on file for third reading.

Senator Carpenter moved that the Senate take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, respectfully refused to concur in Senate amendments to Assembly Bill No. 79—An Act to amend section three thousand six hundred and fifty-three of an Act entitled "An Act to establish a Political Code," relating to the duties of Assessors.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Senator Carpenter moved that the Chair appoint a Committee on Conference, to consult with a like committee to be appointed by the Assembly, in regard to the refusal of the Assembly to concur in the Senate amendments to Assembly Bill No. 79.

So ordered.

The Chair appointed as such committee Senators Carpenter, Dray, and Denison.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate Joint Resolution No. 7—Relative to coast defense.

Also: Respectfully refused to concur in Senate Joint Resolution No. 11—Relative to memorializing Congress to pass an Act forfeiting to the General Government the lands granted to certain railroads, because of non-compliance by them with the Acts of Congress granting said lands.

Also: Concurred in Senate Joint Resolution No. 1—Relative to United States Senate Bill No. 8150.

Also: Concurred in Senate Joint Resolution No. 4—Relative to the abolishment of the duty on grain bags, burlaps, gunnys, or gunny cloth.

Also: Passed Senate Bill No. 77—An Act to legalize certain acknowledgments.

Also: Concurred in Senate Joint Resolution No. 15—Relative to the prevention of the importation of opium.

Also: Amended, and passed as amended, Senate Bill No. 13—An Act to amend section five hundred and thirty-two of the Penal Code of the State of California, relating to the crime of obtaining money or property by false pretenses.

Also: Amended, and passed as amended, Senate Bill No. 14—An Act to amend section seventy-two of the Penal Code of the State of California, relating to the fraudulent presentation of claims to public officers.

Also: Amended, and passed as amended, Senate Bill No. 29—An Act to amend section two hundred and twenty-four of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, in relation to the adoption of children.

Also: Passed Senate Bill No. 10—An Act to amend sections six hundred and eighty-nine and five hundred and forty-nine of the Code of Civil Procedure of the State of California, relative to the claims by third persons of property levied upon under writs of execution and attachment, as to the procedure upon said claims, and as to the necessary prerequisites to their being received.

Also: On February twenty-fifth, passed Assembly Bill No. 192—An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Senate Joint Resolution No. 7 ordered to enrollment.

Senate Joint Resolution No. 1 ordered to enrollment.

Senate Joint Resolution No. 4 ordered to enrollment.

Senate Bill No. 77 ordered to enrollment.

Senate Joint Resolution No. 15 ordered to enrollment.

On motion of Senator Carpenter, the Senate refused to concur in the Assembly amendments to Senate Bill No. 13.

On motion of Senator Carpenter, the Senate refused to concur in the Assembly amendment to Senate Bill No. 14.

Assembly amendment to Senate Bill No. 29:

In line six of section one of engrossed bill, after the word "illegitimate," insert the word "child."

On motion of Senator Crandall, the Senate concurred in the amendment.

Senate Bill No. 10 ordered to enrollment.

Assembly Bill No. 192 ordered on special file for Assembly Bills.

Senator Ostrom moved that a Committee on Conference be appointed by the Chair to consult a like committee of the Assembly on the refusal of the Assembly to adopt Senate Joint Resolution No. 11.

So ordered.

The Chair appointed as such committee Senators Ostrom, McGowan, and Broderick.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 64, on motion of Senator Hamill, passed on file.

Senate Bill No. 107—An Act to prevent damage from the overflow of artesian wells.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—27.
NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 25, 1891.

MR. PRESIDENT: Your Committee on Hospitals, to whom was rereferred Senate Bill No. 406—An Act to provide for a State Board of Charities and Correction, defining its powers and duties, and appropriating money therefor; also, prescribing the duties of State, county, and municipal officers in connection therewith—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend that the substitute do pass.

SIMPSON, Chairman.

Senator Preston moved that substitute for Senate Bill No. 406 be sent to the printer forthwith.
So ordered.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 282—An Act to provide for the appointment of a Board of Sutter's Fort Trustees, and for the acquisition of the Sutter's Fort property, and providing for an appropriation for the preservation, protection, and improvement of said property.
Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—None.

Title read and approved.

SECOND READING OF BILLS.

Senate Bill No. 289, on motion of Senator McGowan, passed on file.
Senate Bill No. 288 temporarily passed on file.
Senate Bill No. 224 temporarily passed on file.
Senate Bill No. 357—An Act to amend section twenty of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, known as the Insolvent Act of 1880.
Bill read second time, ordered engrossed and on file for third reading.
Senate Bill No. 50 passed on file.
Senate Bill No. 94—An Act to add a new section to the Civil Code, to be known as section three hundred and twenty-eight, to enforce the provisions of section three of article twelve of the Constitution.
Senator Crandall moved to strike out section two.
So ordered.
Bill read second time, ordered printed and engrossed, and on file for third reading.

Senate Bill No. 122—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the obligations of coterminous owners and others claiming interest or rights in land, and providing for the construction and maintenance of division fences.

Senator Crandall moved to amend, as follows:

By adding after the word "amend," in line one of the title, the following: "Section 841 of."

Adopted.

Bill read second time, ordered printed and engrossed, and on file for third reading.

Senate Bill No. 146—An Act to amend section one thousand four hundred and one of the Civil Code, relating to the disposition of community property on the death of the husband or wife, and to repeal section one thousand four hundred and two of said Code.

Bill read second time, ordered engrossed and on file for third reading.

On motion of Senator Carpenter Senate Bills Nos. 181, 183, 184, and 185 were passed on file.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 25, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills, beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 201—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand five hundred and ninety-two, relating to mortgages, by executors, of real property belonging to the estates of decedents.

Also: Senate Bill No. 218—An Act to amend section one thousand four hundred and sixty-eight of the Penal Code, relating to the filing and settlement of statements on appeal from Justices' or Police Courts.

Also: Senate Bill No. 346—An Act to appropriate the sum of three thousand one hundred dollars to purchase adjacent lands at San Quentin for the use of the State Prison, together with the improvements thereon.

Also: Senate Bill No. 356—An Act to amend section nine hundred and thirty-nine of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to appeals.

Also: Senate Bill No. 468—An Act to amend section fifty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to powers in appealed cases.

Also: Senate Bill No. 546—An Act to amend section two thousand six hundred and fifty two of the Political Code, relating to road poll tax.

Also: Senate Bill No. 109—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a section thereto, to be known as section one hundred and sixteen of said Act, relating to practice in township and municipal Courts.

Also: Senate Bill No. 242—An Act to amend section three hundred and seventy-eight of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of the public health and safety, and registration of births, deaths, and marriages.

Also: Senate Bill No. 270—An Act to amend section one thousand two hundred and forty-six of the Penal Code, relating to the cost of appeals in criminal cases.

RAGSDALE, Chairman.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 188—An Act to amend section six hundred and sixteen of the Political Code, relating to insurance companies.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 145—An Act for the relief of Cornelius Lynch, for personal injuries received by him while in the service of the State.

The following committee amendments were submitted:

Amend section one, line one, by striking out the words and figures "five thousand dollars ($5,000)," and inserting in lieu thereof the words "two thousand five hundred dollars."

Adopted.

Amend section two, line three, by inserting after the word "same" the words "out of the San Francisco Harbor Improvement Fund."

Adopted.

Amend section two, line three, by striking out the words and figures "five thousand dollars ($5,000)," and inserting in lieu thereof the words "two thousand five hundred dollars."

Adopted.

Senate Bill No. 335—An Act to appropriate money to pay the claim of William Gutenberger, for the loss of tools and property destroyed at the Branch State Prison at Folsom.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 170—An Act making an appropriation to pay the claims of Charles F. Reed, C. E. Grunsky, and J. J. Crawford for expenses incurred as members of the Examining Commission on Rivers and Harbors.

The following committee amendments were submitted:

Amend lines four and five, in section two, by striking out the words "sums severally due them," and inserting in lieu thereof, "sum of nine hundred and fifty-seven dollars and twenty-three cents."

Adopted.

Amend title of bill by adding at the end thereof the words, "approved March 19, 1889."

Adopted.

Bill read second time, ordered printed, engrossed, and on file for third reading.

Senate Bill No. 55—An Act to appropriate money to pay the claim of Enoch N. Strout, for services rendered as Reclamation Land Commissioner, under "An Act to provide for the funding of the indebtedness of the reclamation and levee districts of this State," approved March 30, 1872.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 52 passed on file.

Senate Bill No. 39—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 213—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 329—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns, of the State," approved March 4, 1889.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 73, on motion of Senator Ostrom, passed on file.

Senate Bill No. 239—An Act to amend section three thousand and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Boards of Health.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 298—An Act to provide for changes of the custody of property and the control of estates upon changes in the office of Public Administrator.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 263, on motion of Senator Voorhies, passed on file.

Senate Bill No. 306, on motion of Senator Campbell of Solano, passed on file.

Senate Bill No. 316—An Act making an appropriation to pay the deficiency in the appropriation for salary of the Secretary of the State Engineer, for the fortieth, forty-first, and forty-second fiscal years.

On motion of Senator Everett, the enacting clause was stricken out.

MOTION.

Senator Campbell of Solano moved that Senate Bill No. 678 be made a special order for Monday next, immediately after the reading of the Journal, and that until final action be taken on said bill, that it retain a place at the head of special file.

Motion carried.

Senator McGowan moved that Senate Bill No. 288 be taken up for action.

So ordered.

Senate Bill No. 288—An Act to amend section one thousand nine hundred and sixty-two of the Code of Civil Procedure of California.

Bill read second time, ordered engrossed and on file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 25, 1891.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 600—An Act making an appropriation for the additional buildings and improvements of the Southern California State Hospital for the Insane—have had the same under consideration, and respectfully report the same back, and recommend that the committee substitute for the same, herewith returned, do pass.

Also: Senate Bill No. 150—An Act to appropriate money for the completion of the building of the State Normal School at Chico—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 259—An Act to appropriate money for the completion and maintenance of the Preston School of Industry—have had the same under consideration, and respectfully report the same back, and recommend that the substitute of the Joint Committees on Finance, and Public Buildings other than Prison Buildings, for Senate Bill No. 259, and for the original committee substitute, herewith returned, do pass.

Also: Senate Bill No. 131—An Act to provide for the erection of additional buildings for the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that the substitute bill, herewith presented, do pass.

BANKS, Chairman.

Senator Preston moved that the substitutes referred to in report just ead be printed forthwith.

So ordered.

Senate Bill No. 304—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year.

Bill read second time, ordered engrossed and on file for third reading.

RESOLUTION.

By Senator Dray:

Resolved, That Senate Bills Nos. 304, 305, 310, 311, 312, 315, 319, 320, 321, and 323 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Siskiyou, Carpenter, Denison, Dray, Everett, Fraser, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—None.

CASES OF URGENCY.

Senate Bill No. 304—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Fraser, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—None.

Title read and approved.

Senate Bill No. 305—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the law for the preservation of fish, for the thirty-ninth, fortieth, and forty-first fiscal years.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Denison, Everett, Fraser, Hamill, Harp, Mahoney, McComas, McGowan, Ostrom, Shippee, Simpson, Sprague, Williams (Wm. H.), and Williams (Geo. H.)—23.

NOES—Mr. Ragsdale—1.

Title read and approved.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 25, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 577—An Act to amend section two thousand six hundred and fifty-two of the Political Code of the State of California, relating to the levy and collection of road poll taxes.

Also: Senate Bill No. 581—An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure of California.

Also: Senate Bill No. 591—An Act to provide for establishing title to real estate by judgment of Court.

Also: Senate Bill No. 606—An Act to amend section three thousand six hundred and thirty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the assessment of property.

Also: Senate Bill No. 620—An Act to amend section one hundred and fifty-eight of the Code of Civil Procedure of the State of California, relating to the residence of Judges of the Superior Court.

Also: Senate Bill No. 630—An Act to amend sections one thousand three hundred and five and one thousand three hundred and six of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to forfeiture of the undertaking of bail.

Also: Senate Bill No. 669—An Act to add a new section to the Civil Code of the State of California, to be numbered four hundred and ninety-seven and one half.

Also: Senate Bill No. 670—An Act to amend an Act entitled "An Act to establish a Penal Code of the State of California," approved March 12, 1872, relating to lotteries.

Also: Senate Bill No. 673—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having ten thousand and under twenty-five thousand inhabitants, and to provide for officers thereof," approved March 18, 1885; and to make said Act as amended apply to cities having ten thousand and under twenty-five thousand inhabitants.

Also: Senate Bill No. 677—An Act to amend sections two hundred and sixty-one and two hundred and sixty-nine of the Political Code.

Respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 460—An Act to provide for Police Courts in cities having twenty-five thousand and under one hundred thousand inhabitants, and to provide for officers thereof.

Also: Senate Bill No. 512—An Act to provide for the appointment of an inspector of live stock in each county of this State; to fix his compensation, and to prevent the spread of glanders, farcy, and other infectious or contagious diseases among live stock; and fixing a penalty for the using, keeping, buying, or selling of any animal infected with glanders, farcy, or other infectious or contagious disease.

Also: Senate Bill No. 533—An Act to amend section fifty-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to county officers.

Also: Senate Bill No. 535—An Act to amend section two hundred and forty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to grand juries.

Also: Senate Bill No. 596—An Act to amend section one thousand nine hundred and twenty of the Code of Civil Procedure, relating to entries in official books and records.

Also: Senate Bill No. 644—An Act authorizing the Attorney-General to settle and dismiss a certain action entitled "The People of the State of California, ex rel. John P. Dunn, State Controller, plaintiff, vs. Frank W. Gross, John Martin, and John Landers, defendants" (wherein judgment was obtained against defendants in the Superior Court of the City and County of San Francisco, on the thirteenth day of December, 1889, which action is numbered twelve thousand nine hundred and two in said Court) (now on appeal to the Supreme Court), upon payment to him for the use of the State of such moneys as he may deem advisable to accept.

Also: Senate Bill No. 653—An Act to establish a committee for the revision of the laws.

Also: Senate Bill No. 667—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and forty-one, relating to the settlement of the accounts of deceased executors, administrators, and guardians.

Also: Senate Bill No. 675—An Act to amend section three thousand seven hundred and seventy of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the costs and fees to be collected by the Tax Collector at the time of making sales of property for delinquent taxes.

Respectfully report the same back without recommendation.

SPRAGUE, Chairman.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 25, 1891.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 1—An Act appropriating the sum of one hundred and seventy-five thousand dollars for the erection of additional buildings for the use of the State Insane Asylum at Agnews, to appropriate funds therefor, and to provide for the expenditure of the same—have had the same under consideration, and respectfully report the same back, and recommend that the committee substitute, herewith returned, do pass.

Also: Senate Bill No. 132—An Act appropriating the sum of one hundred and eighty-four thousand nine hundred dollars for the erection of additional buildings for the Mendocino State Asylum for the Insane, to complete buildings now being erected, to appropriate money therefor, and to provide for the expenditure of the same—have had the same under consideration, and respectfully report the same back, and recommend that the committee substitute, herewith returned, do pass.

BANKS, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 25, 1891.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 666—An Act to amend section five of an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor," approved February 26, 1885—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bills Nos. 337 and 338—Entitled, respectively, "An Act to provide for estimating the cost and selling price of the State text-books," and "An Act to provide for the free printing of the State School text-books"—have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 16—An Act to prevent the sale of intoxicating liquors to children—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 251—An Act entitled "An Act to prohibit the publication in any newspaper, periodical, publication, or pamphlet, of any list, or partial list, of numbers of tickets, checks, or coupons, entitled to prizes resulting from the drawing of any lottery, or to publish any account of any person having drawn a prize in any lottery, and to provide a penalty for violating this Act"—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

DENISON, Chairman.

CASES OF URGENCY—(RESUMED).

Senate Bill No. 310—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General, for the fortieth fiscal year.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Denison, Dray, Fraser, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Voorhies, Welch, and Williams (Geo. H.)—24.

NOES—None.

Title read and approved.

On motion of Senator Dray, the remaining Senate Bills made cases of urgency this evening, were made the second special order for to-morrow, after the reading of the Journal.

ADJOURNMENT.

At ten o'clock P. M., on motion of Senator Maher, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, February 26, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser,

Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Mead moved that further reading of the Journal be dispensed with.

So ordered.

MOTIONS.

Senator Streeter moved that Assembly Bill No. 353, a special order set for this hour, be reset for to-morrow at eleven o'clock A. M.

So ordered.

Senator Dray moved that the roll be called, and that each Senator, upon the calling of his name, be permitted to name a bill to be this day made a case of urgency, providing that ten Senators do not object to the consideration this day of such bill as a case of urgency.

So ordered.

The roll was called, and the Senators, as their names were called, named the bills they wished considered, as follows:

Senator Bailey: Senate Bill No. 566—An Act to amend sections one thousand three hundred and fifty-two, one thousand three hundred and seventy, and one thousand seven hundred and fifty-one of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the disabilities of married women to act as executors, administrators, or guardians.

Senator Banks: Senate Bill No. 647—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887; and section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885, relating to liens of mechanics and others.

Senator Berry: Senate Bill No. 44—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Senator Britt: Senate Bill No. 163—An Act to authorize Boards of Health and Health Officers in cities, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such cities, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

Senator Broderick: Senate Bill No. 589—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having fifty thousand inhabitants and over that number, providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors.

Senator Byrnes: Assembly Bill No. 185—An Act to create the county

of Glenn, to establish the boundaries thereof, and to provide for its organization.

Senator Campbell of Solano: Senate Bill No. 674—An Act to authorize payment of certain services rendered by Justices of the Peace in counties of the tenth (10th) class, as formerly classified and designated by an Act of the Legislature of this State entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, and amended March 14, 1885, and March 18, 1885, and March 17, 1887, and March 16, 1889, on the basis of the enumeration of population made in the United States census for the year A. D. 1880.

Senator Campbell of Siskiyou: Senate Bill No. 599—An Act entitled an Act relating to the working, rights of way, easement, and drainage of mines in the State of California.

Senator Carpenter: Assembly Bill No. 192—An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel.

Senator Crandall: Senate Bill No. 545—An Act to define the duties of and to license land surveyors.

Senator Dargie: Senate Bill No. 375—An Act authorizing the Attorney-General to dismiss those certain actions pending in the Superior Court of the City and County of San Francisco, and numbered eleven thousand seven hundred and six, eleven thousand nine hundred and twenty-five, and eleven thousand nine hundred and twenty-six, upon payment to him for the use of the State of certain moneys.

Senator Denison: Senate Bill No. 255—An Act to amend section five hundred and ninety-eight of the Civil Code of the State of California, relating to benevolent and religious corporations.

Senator Dray: Senate Bill No. 42—An Act to amend an Act entitled "An Act to amend section three thousand four hundred and eighty-eight of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, and to make sections three thousand four hundred and forty-six, three thousand four hundred and forty-seven, three thousand four hundred and forty-nine, three thousand four hundred and fifty, three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-seven, three thousand four hundred and fifty-nine, three thousand four hundred and sixty, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-three, three thousand four hundred and sixty-five, three thousand four hundred and sixty-six, three thousand four hundred and sixty-seven, three thousand four hundred and sixty-eight, three thousand four hundred and seventy-one, three thousand four hundred and seventy-two, and three thousand four hundred and seventy-three of said Political Code, relating to the reclamation of certain lands within certain municipalities," approved March 19, 1889.

By Senator Hamill, for Senator De Long: Senate Bill No. 393—An Act authorizing certain corporations to act as executor, and in other capacities, and to provide for and regulate the administration of trusts by such corporations.

Senator Everett: Senate Bill No. 609—An Act to amend section six hundred and eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to cemetery corporations.

Senator Flint: Senate Bill No. 558—An Act to prevent destruction by fire of property of contiguous owners.

Senator Fraser: Senate Bill No. 517—An Act relating to the roofing of public buildings in the State of California.

Senator Goucher: Senate Bill No. 60—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Senator Hamill: Senate Bill No. 161—An Act to amend an Act entitled "An Act to limit and fix the rates of fares on street railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878.

Senator Harp: Senate Bill No. 325—An Act to provide for the redemption of property which has been heretofore sold to irrigation districts for delinquent assessments.

Senator Heacock: Senate Bill No. 597—An Act authorizing persons having claims against the State, or against counties, to prosecute and establish them in the Courts, and providing for the payment of judgments.

Senator Maher: Senate Bill No. 554—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto certain new and additional sections, to provide the mode of carrying into effect certain provisions of said Act, relative to changing grades.

Senator Mahoney: Senate Bill No. 234—An Act to establish a standard of weights and measures.

Senator McComas: Senate Bill No. 103—An Act to form Pomona County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Senator McGowan: Senate Bill No. 346—An Act to appropriate the sum of three thousand one hundred dollars to purchase adjacent lands at San Quentin for the use of the State Prison, together with the improvements thereon.

Senator Mead: Senate Bill No. 624—An Act appropriating money for the erection of and maintenance and support of the Sacramento Foundling Home.

Senator Ostrom: Senate Bill No. 265—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

Senator Preston: Senate Bill No. 484—An Act to provide for the payment to Wm. Carey Jones, out of the moneys heretofore appropriated for the compilation of a State series of school text-books, for his services in compiling the elementary book on Civil Government for the State series of school text-books, as provided in an Act approved March 19, 1889, and in accordance with an agreement made with said Jones by C. W. Childs, as a committee of the State Board of Education, to whom said matter was referred.

Senator Ragsdale: Senate Bill No. 409—An Act to appropriate money for the erection of a monument in Golden Gate Park, in the City and County of San Francisco, in memory of the late General M. G. Vallejo.

Senator Seawell (by unanimous consent): Senate Bill No. 272—An Act fixing the rate of tare on baled hops.

Also: Senate Bill No. 398—An Act to prohibit the adulteration of beer and other malt liquors.

Senator Shippee: Senate Bill No. 417—An Act to validate and make legal acknowledgments, affidavits, and oaths made before and taken by any person acting as a Notary Public, under appointment by the Governor of the State of California, in certain cases, and to validate and make legal all the acts and transactions of such person while acting as such Notary Public.

Senator Simpson: Senate Bill No. 222—An Act requiring every person, company, or corporation supplying water to any municipality, or the inhabitants thereof, in the State of California, to construct water mains where, and of the size, designated by the governing body of the municipality, and to furnish water where designated, upon demand and payment of rates, as long as the supply is sufficient, and prescribing a penalty for non-compliance.

Senator Streeter: Senate Bill No. 590—An Act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages.

Senator Voorhies: Senate Bill No. 479—An Act to provide for the establishment of High Schools in the State of California.

Senator Welch: Senate Bill No. 516—An Act to enable the Coulterville and Yosemite Turnpike Company, a corporation, to sue the State of California for the loss and damage suffered and sustained by the said corporation by construction of a road by the Yosemite Turnpike Road Company, under and by virtue of an Act of the Legislature of the State of California entitled "An Act granting the right of way to the Yosemite Turnpike Road Company over the Yosemite Grant," approved February 17, 1874, and for the relief of the said Coulterville and Yosemite Turnpike Company.

Senator Wm. H. Williams: Senate Bill No. 502—An Act to create the office of Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco.

Senator Geo. H. Williams: Senate Bill No. 144—An Act to repeal section three hundred and thirty-seven of the Penal Code.

RESOLUTION.

By Senator Dray:

Resolved, That Senate Bills Nos. 566, 647, 44, 163, 589, Assembly Bill No. 185, Senate Bills Nos. 674, 599, Assembly Bill No. 192, Senate Bills Nos. 545, 375, 393, 255, 42, 609, 558, 517, 60, 161, 325, 597, 554, 234, 103, 346, 624, 265, 484, 409, 272, 398, 417, 222, 590, 479, 516, 502, and 144 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Campbell, of Solano, Campbell, of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Fraser, Goucher, Hamill, Harp, Heacock, Maher, McComas, McGowan, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, and Williams (Wm. H.)—27.

NOES—Mr. Ostrom—1.

MOTION.

Senator Dray moved that the second special order set for to-day be reset for to-night, at seven o'clock and thirty minutes P. M., after the consideration of special order already set for that hour.

So ordered.

COMMUNICATION.

The following communication was received from the State Board of Trade:

CALIFORNIA STATE BOARD OF TRADE,
SACRAMENTO, February 26, 1891.

To the honorable presiding officer of the Senate:

SIR: In behalf of the State Board of Trade, I extend your honorable body a cordial invitation to visit and inspect the traveling exhibit of our State's products—"California on Wheels"—to-day, between the hours of 11 A. M. and 4 P. M., that certain time being relegated to the exclusive use of the Governor and staff, State officers, and members of the Legislature.

Very respectfully,

EUGENE J. GREGORY, President.

MOTIONS.

Senator Preston moved that Senate Bills Nos. 259, 131, 135, 150, 600, 371 and 132, and that Senate Bills Nos. 132 and 1 be ordered sent to printer.

So ordered.

Senator Goucher moved that substitute for Senate Bill No. 528 be printed and placed on special file.

So ordered.

Senator Dray moved that Senate Bill No. 304 be held until Assembly Bill relating to the same subject be received.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 681—have had the same under consideration and respectfully report the same back, and recommend that it do pass.

DE LONG, Chairman.

URGENCY CASES.

Senator Crandall moved that substitute for Senate Bill No. 566 take the place of Senate Bill No. 566 on the special urgency file.

So ordered.

Substitute for Senate Bill No. 566—An Act to amend sections one thousand three hundred and fifty-two and one thousand seven hundred and fifty-one of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to executors and guardians of minors.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill,

Harp, Heacock, Mahoney, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, and Williams (Geo. H.)—27.
Noes—None.

Title read and approved.

Senate Bill No. 647—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887; and section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885, relating to liens of mechanics and others.

Bill read first and second times.

The following amendments were submitted by Senator Banks:

Strike out of section one thousand one hundred and ninety-five, printed bill, line one, the words "section one thousand one hundred and ninety-five," and insert on page five, line three, near top of page, before the words "all persons," the following: "section one thousand one hundred and ninety-five:" also, to renumber this section to conform with the amendments above.

Adopted.

Also: By inserting on page five, printed bill, below the figures "38." the following: "section four."

Adopted.

Bill ordered engrossed and printed as amended.

Senate Bill No. 44—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Senator Voorhies moved that the bill be placed upon special file with other bills appropriating State money.

Senator Preston moved to amend by referring the bill to Committees on Finance, and Public Buildings other than Prison Buildings, and when returned from committees, be placed at the head of special file.

Senator Voorhies accepted the amendment.

On the adoption of Senator Preston's motion, the ayes and noes were demanded by Senators Crandall, Everett, and Voorhies.

The roll was called, and the motion adopted by the following vote:

Ayes—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Fraser, Goucher, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—20.
Noes—Messrs. Berry, Broderick, Dray, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Ostrom, and Sprague—12.

Senate Bill No. 163 passed temporarily on file.

Senate Bill No. 589 passed temporarily on file.

Substitute for Assembly Bill No. 185—An Act to create the county of Glenn, to establish the boundaries thereof, and to provide for its organization.

Senator Heacock moved that the bill be referred back to its place on the general file.

Motion lost.

Senator Hamill moved that the hour of recess be extended until the second reading of the bill be completed.

So ordered.

Senator Campbell of Solano moved to make it a special order for eight o'clock this evening.

Senator Heacock moved to amend by referring the bill back to the general file until Senator Wilson, the author, be present.

Senator Dray moved, as a substitute for both motions, that it be made a special order for to-morrow, immediately after the reading of the Journal.

Pending consideration of the motions, the Chair announced recess.

RECESS.

At twelve o'clock and thirty minutes the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

Consideration of substitute for Assembly Bill No. 185, resumed.

Senator Heacock withdrew his motion, and seconded the motion of Senator Dray.

The motion of Senator Dray being put, was lost.

Senator Campbell of Solano withdrew his motion.

Senator Fraser moved to make further consideration of the bill a special order for to-morrow, at three o'clock and thirty minutes P. M.

The ayes and noes were demanded by Senators Ostrom, Fraser, and Sprague.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Carpenter, Crandall, Denison, Dray, Flint, Fraser, Heacock, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, and Welch—15.

NOES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Dargie, Everett, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—20.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, Everett, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—Messrs. Berry, Carpenter, Denison, Dray, Flint, Fraser, Heacock, Mead, Ragsdale, Shippee, and Simpson—11.

Title read and approved.

Senator Ostrom gave notice that on to-morrow he would move a reconsideration of the vote whereby substitute for Assembly Bill No. 185 was finally passed this day.

RESOLUTION—(OUT OF ORDER).

By Senator Sprague:

Resolved, That Senate Bill No. 435 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, McComas, McGowan, Mead, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—Messrs. Dray, Heacock, and Ostrom—3.

CASES OF URGENCY—(RESUMED).

Senate Bill No. 674—An Act to authorize payment for certain services rendered by Justices of the Peace in counties of the tenth class, as formerly classified and designated by an Act of the Legislature of this State entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, and amended March 14, 1885, and March 18, 1885, and March 17, 1887, and March 16, 1889, on the basis of the enumeration of population made in the United States census for the year A. D. 1880.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—33.
NOES—None.

Title read and approved.

On motion of Senator Broderick, Senate Bill No. 589, temporarily passed on file, was taken up.

Senate Bill No. 589—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having fifty thousand inhabitants and over that number, providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors.

Bill read second time.

Amendments by Senator Carpenter:

Amend by striking out of section one, lines four, eight, nine, twelve, and thirteen, the word "fifty" and inserting the words "one hundred" in lieu thereof.

Adopted.

Also: Strike out section four.

Adopted.

Bill ordered engrossed and printed as amended.

Senate Bill No. 599—An Act entitled an Act relating to the working, rights of way, easement, and drainage of mines in the State of California.

Bill read second and third times, and finally passed by the following vote:

Ayes—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Welch—26.
Noes—None.

Title read and approved.

President pro tem. Fraser in the chair.

Assembly Bill No. 192—An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel.

Bill read third time, and finally passed by the following vote:

Ayes—Messrs. Bailey, Berry, Britt, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Sprague, Streeter, and Voorhies—26.
Noes—None.

Title read and approved.

Substitute for Senate Bills Nos. 8, 57, 123, and 369—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two hundred and fifty-nine of the Political Code, and to add four new sections thereto, to be numbered one thousand two hundred and thirteen, one thousand two hundred and fourteen, one thousand two hundred and fifteen, and one thousand two hundred and sixteen, all in relation to the conduct of elections in this State.

During the reading of the bill, Senator McGowan was called to the chair.

Bill read third time, and finally passed by the following vote:

President pro tem. Fraser in the chair.

Ayes—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (Wm. H.)—33.
Noes—Mr. Campbell of Solano—1.

Title read and approved.

On motion of Senator McGowan, the bill was ordered immediately transmitted to the Assembly.

On motion of Senator Hamill, the special order for consideration of Senate Bill No. 62 was postponed until to-morrow, at three o'clock and thirty minutes P. M.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 643—An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, and all Acts amendatory thereof.

Also: Senate Bill No. 393—An Act authorizing certain corporations to act as executors, and in other capacities, and to provide for and regulate the administration of trusts by such corporations.

Also: Senate Bill No. 199—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

Also: Senate Bill No. 153—An Act to provide fire escapes in hotels.

Also: Senate Bill No. 329—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Also: Senate Bill No. 535—An Act to appropriate money to pay the claim of William Gutenberger, for the loss of tools and property destroyed at the Branch State Prison at Folsom.

Also: Senate Bill No. 530—An Act to provide for payment for private property heretofore taken for public use.

RAGSDALE, Chairman.

On motion of Senator Mahoney, Senate Bill No. 639 was made a special order for this evening at eight o'clock.

Senator Goucher moved that Assembly Bill No. 224 be made a special order for to-morrow, at ten o'clock and ten minutes A. M.

So ordered.

On motion of Senator Simpson, Senate Bill No. 569 was taken up.

Senate Bill No. 569—An Act to empower the Board of State Harbor Commissioners to rectify the alignment of East Street, from Pacific Street to Market Street, in the City and County of San Francisco, and to sell, acquire, and condemn adjacent property.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.

NOES—None.

Title read and approved.

URGENCY CASES—(RESUMED).

On motion of Senator Britt, Committee Substitute for Senate Bill No. 163 was taken up, and adopted, in place of Senate Bill No. 163.

Committee Substitute for Senate Bill No. 163—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties,

and to provide for the compensation, and to define the duties of such Inspectors.

Bill read first time.

Senator Maher moved that consideration of special order (Senate Bill No. 443) set for this hour be postponed until the matter at hand be disposed of.

So ordered.

The following committee amendments to substitute for Senate Bill No. 163 were submitted:

In section one, line two, of the printed bill, strike out after the word "appointed," on said line, the words "it shall be the duty of the," and insert in lieu thereof the words "the said."

Adopted.

Also: Amend section one, line three, by striking out after the word "established," in said line, the word "to," and inserting in lieu thereof the words "may when deemed necessary for the protection of the public health."

Adopted.

Bill read second time, and ordered engrossed and printed, as amended, and on file for third reading.

Senator Carpenter moved that Assembly Bill No. 192, passed by the Senate to-day, be immediately returned to the Assembly.

So ordered.

SPECIAL ORDER.

The special order set for four o'clock and ten minutes P. M. to-day, and postponed temporarily, was taken up.

Senate Bill No. 443—An Act for the relief of Peter Connolly, his assigns or legal representatives.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Campbell of Solano, Crandall, Dargie, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, Mead, Preston, Ragsdale, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—Mr. Heacock—1.

Title read and approved.

Senator Maher moved that Senate Bill No. 443 be immediately transmitted to the Assembly.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 55—An Act to appropriate money to pay the claim of Enoch N. Strout, for services rendered as Reclamation Land Commissioner, under an Act to provide for the funding of the indebtedness of the reclamation and levee districts of this State, approved March 30, 1872.

Also: Senate Bill No. 145—An Act for the relief of Cornelius Lynch, for personal injuries received by him while in the service of the State.

Also: Senate Bill No. 298—An Act to provide for changes of the custody of property and the control of estates upon changes in the office of Public Administrator.

Also: Senate Bill No. 310—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General, for the fortieth fiscal year.

Also: Senate Bill No. 674—An Act to authorize payment for certain services rendered by Justices of the Peace in counties of the tenth class, as formerly classified and designated by an Act of the Legislature of this State entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, and amended March 14, 1885, and March 18, 1885, and March 17, 1887, and March 16, 1889, on the basis of the enumeration of population made in the United States census for the year A. D. 1880.

Also: Senate Bill No. 304—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits, in which the State is a party in interest, for the forty-first fiscal year.

Also: Senate Bill No. 305—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the law for the preservation of fish, for the thirty-ninth, fortieth, and forty-first fiscal years.

RAGSDALE, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: The Committee on Finance, to whom was referred Senate Bill No. 685—respectfully report that they have had the same under consideration, report the same back, and recommend that it do pass.

FRASER, for Committee.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 648—respectfully report that they have had the same under consideration, report the same back, and recommend that the same do not pass.

Also: Senate Bills Nos. 654 and 508 without recommendation.

FRASER, Chairman.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 290—An Act to provide for the erection of additional buildings for the use of the State Normal School at San José, California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that the committee substitute herewith returned do pass.

BANKS, Chairman.

Senator Crandall moved that the committee substitute for Senate Bill No. 290 be printed.

So ordered.

ON PUBLIC PRINTING.

SENATE CHAMBER, SACRAMENTO, February 25, 1891.

MR. PRESIDENT: Your Committee on Public Printing, to whom was referred Senate Bill No. 655—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Senate Joint Resolution No. 22—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

G. H. WILLIAMS, Chairman.

CASES OF URGENCY—(RESUMED).

Senate Bill No. 545—An Act to define the duties of and to license land surveyors.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (Wm. H.)—30.
NOES—None.

Title read and approved.

Senator Preston announced that he withdrew his notice that he would move a reconsideration of the vote by which Assembly Bill No. 102 was finally passed.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

SENATE CHAMBER, SACRAMENTO, February 27, 1891.

MR. PRESIDENT: Your Committee on State Library and Rules, to which was referred the following resolution by Senator Simpson:

Resolved, That no Senator be allowed to speak more than ten minutes on any question without the consent of the Senate by a majority vote, and that this rule be incorporated into the Standing Rules of the Senate.

Have had the same under consideration, and respectfully report the same back without recommendation.

McGOWAN, Chairman.

MOTIONS.

Senator Sprague moved that the resolution mentioned in the report be adopted.

Senator Goucher moved a call of the Senate.

Senators Goucher, Broderick, and Harp demanded ayes and noes on Senator Goucher's motion.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Goucher, Harp, Ostrom, Welch, and Williams (Wm. H.)—9.
NOES—Messrs. Bailey, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Hamill, Maher, McComas, McGowan, Mead, Ragsdale, Shippee, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—22.

Senator Heacock moved the consideration of the previous question.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, McComas, McGowan, Preston, Shippee, Simpson, Sprague, Streeter, and Voorhies—21.
NOES—Messrs. Banks, Berry, Britt, Campbell of Solano, Goucher, Hamill, Harp, Mead, Ostrom, Welch, and Williams (Geo. H.)—11.

Senator W. H. Williams was paired with Senator Dargie.

Senator Dargie would have voted "aye," and Senator Williams "no."

The resolution was read by the Secretary, and Senator Heacock, with unanimous consent, submitted the following amendment:

Amend by adding at the end of the resolution, "*provided*, that in the consideration of the reapportionment bills, or either of them, any Senator may be permitted to speak not exceeding forty-five minutes."

There being no objection, the amendment was added.

The resolution was then ordered read as amended:

Resolved, That no Senator be allowed to speak more than ten minutes on any question without the consent of the Senate by a majority vote, and that this rule be incorporated into the Standing Rules of the Senate; *provided*, that in the consideration of the reapportionment bills, or either of them, any Senator shall be allowed to speak not exceeding forty-five minutes.

The roll was called, and the resolution, as amended, adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, Maher, McComas, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—Messrs. Hamill, McGowan, Mead, and Ostrom—4.

RECESS.

At five o'clock and thirty minutes the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled. Hon. Thos. Fraser, President pro tem. of the Senate, in the chair. Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FORESTRY, YOSEMITE VALLEY, AND MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Bill No. 656 have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

FLINT, Chairman.

Senator Mahoney asked unanimous consent to have Senate Bill No. 234 placed upon the file of urgency bills.

Permission granted.

Senator Voorhies asked that the special order set for this hour be taken up.

Senator Ostrom moved to postpone the special order set for this hour until to-morrow morning, immediately after reading of the Journal.

Ayes and noes were demanded by Senators Ostrom, Berry, and Mahoney.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Britt, Goucher, Hamill, Harp, Mahoney, Mead, Ostrom, and Williams (Wm. H.)—9.
NOES—Messrs. Bailey, Banks, Broderick, Campbell of Solano, Carpenter, Dargie, De Long, Everett, Flint, Langford, McComas, McGowan, Preston, Shippee, Streeter, Voorhies, and Williams (Geo. H.)—17.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: Your Committee of Conference, concerning Assembly Bill No. 79 "An Act to amend section three thousand six hundred and fifty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of Assessors—report that we have met a like committee of the Assembly, consisting of Messrs.

Galbraith, Carter, and Cram, and we report that the Conference Committee agreed upon and recommend the following:

Add to section one of said bill, subdivision six, to read as follows: "This Act shall apply only to counties of the second and third class."

And recommend its passage as amended.

CARPENTER,
DENISON,
DRAY,
Conference Committee.

On motion of Senator Carpenter, report of Conference Committee was adopted.

SPECIAL ORDER.

Substitute for Senate Bill No. 388—An Act to divide the State of California into Congressional districts.

Senator Voorhies moved to amend by striking out all of subdivision four of section one, and insert the following:

4. All that portion of the City and County of San Francisco bounded as follows: Commencing at the point of intersection of the center of Leavenworth Street and the bay of San Francisco, continuing thence along the center of the following named streets: Leavenworth to Broadway, Broadway to Hyde, Hyde to Sacramento, Sacramento to Van Ness Avenue, Van Ness Avenue to Market, Market to Eleventh, Eleventh to Harrison, Harrison to Napa, Napa to Howard, Howard to Army, Army to Precita Avenue, Precita Avenue to Colusa, Colusa to San Bruno Road or Avenue; thence along San Bruno Road or Avenue to the boundary line dividing the counties of San Mateo and San Francisco; thence along said boundary line to the bay of San Francisco; thence along the shore of said bay to Leavenworth Street, the place of beginning, with all the islands in the bay of San Francisco within the boundaries of the City and County of San Francisco, shall comprise the Fourth Congressional District.

Adopted.

By Senator Goucher:

Amend by striking out of subdivision six, lines twenty-six and twenty-seven, and substitute the following words: "The counties of Stanislaus, Merced, San Benito, Fresno, Tulare, Kern, Santa Cruz, Monterey, Santa Barbara, and Ventura shall comprise the Sixth Congressional District."

The ayes and noes were demanded by Senators Berry, Voorhies, and Goucher.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Berry, Britt, Goucher, Hamill, Harp, Mead, Ostrom, Welch, and Williams (Wm. H.)—9.

NOES—Messrs. Bailey, Banks, Broderick, Campbell of Solano, Crandall, Dargie, Denison, Everett, Fraser, Maher, McComas, McGowan, Preston, Ragsdale, Shippee, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—19.

Senator Goucher moved to amend by striking out subdivision seven, in section one, and substitute the following therefor: "The counties of San Luis Obispo, Los Angeles, Orange, San Bernardino, and San Diego shall comprise the Seventh Congressional District."

Amendment lost.

Senator Goucher moved to amend by striking out of subdivision two, section two, line seven, the word "Mariposa."

Amendment lost.

Senator Goucher moved to amend by inserting the word "Mariposa" after the word "Stanislaus" in line twenty-eight.

Lost.

Senator Goucher moved to strike out the enacting clause.

Senators Ostrom, Berry, and Goucher demanded the ayes and noes.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Goucher, Hamill, Harp, Mead, Ostrom, and Welch—7.
NOES—Messrs. Bailey, Banks, Broderick, Campbell of Solano, Carpenter, Crandall, Denison, Everett, Fraser, Maher, McComas, McGowan, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—20.

Senator Voorhies moved that substitute for Senate Bill No. 388 be ordered engrossed, and printed, and made a special order for three o'clock and thirty-five minutes P. M. to-morrow.

The roll was called, and the motion was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Campbell of Solano, Carpenter, Crandall, Denison, Everett, Fraser, Maher, McComas, McGowan, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—20.
NOES—Messrs. Berry, Goucher, Harp, Mead, Ostrom, and Welch—6.

REQUEST.

Senator Maher asked consent to introduce a bill.

The roll was called, and permission granted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Carpenter, Crandall, Denison, Dray, Everett, Fraser, Goucher, Harp, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Senator Maher: Senate Bill No. 688—An Act to authorize the Directors of the Veterans' Home Association to exchange certain lands in the City and County of San Francisco for certain other property belonging to said city and county, or for a lease of said property.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 683—An Act to cede jurisdiction to the United States over certain lands—respectfully report the same back, and recommend that it do pass.

SPRAGUE, Chairman.

ON CONSTITUTIONAL AMENDMENTS AND BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: Your Committee on Constitutional Amendments and Banks and Banking, to whom was referred Senate Constitutional Amendment No. 22—Amending article thirteen of the Constitution, relative to exempting fruit trees and vines under five years of age from taxation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CRANDALL, Chairman.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: In accordance with instructions of the Senate, a sub-committee from the Committee on State Prisons and Prison Buildings, consisting of Senators Voorhies, Mead, McComas, and Preston, visited the State Prison at San Quentin on Saturday, February twenty-first, and respectfully submit the following report:

First—Owing to the severe storm which was then prevailing, we were unable to inspect the premises as thoroughly as we had intended.

One of the localities visited, is the line of the proposed road from Tiburon to San Rafael, on which it is proposed to work the convicts in accordance with the provisions of Senate Bill No. 593.

We find that the line of said proposed road at its nearest point is over one mile from the boundary of the prison premises and from the nearest guard house; that it is entirely beyond the range of the gatling and other guns used by the guards at San Quentin for the purpose of preventing the prisoners from escape.

That the country intervening between the prison premises and proposed road is a series of hills and valleys, and is traversed by the railway leading from Tiburon to San Rafael.

From the foregoing facts, and the necessary difficulty of effectually guarding the prisoners while at work, as well as in going to and from the prison to their work, we seriously question the advisability of authorizing the employment of the prison convicts on the proposed road, and recommend that the matter be referred to the Prison Directors.

We are pleased to note that the general surface of the prison premises has been much improved during the last three years by a judicious system of grading, filling in of cuts and ravines, and by the covering of the surface with soil and fertilizers. The portions thus graded have been planted in wheat, and now present an inviting appearance as compared with the sterile and broken condition of the old brickyards.

The only productive industry on which the prisoners are employed is that of the manufacture of bags in the jute mill. There, two gangs of men are employed—one by day and one by night.

The factory is lighted by gas at night, and great care is used to guard against fire, as well as to prevent escapes of or disturbances among the prisoners.

The prisoners seem comfortably clothed—all of their garments, including caps, being made of the regulation stripes.

We were pleased to be present at the time of feeding the prisoners, and find that they are supplied with wholesome and nutritious food; the bread is of excellent quality, and is supplied in quantity as the prisoners wish. The meat and potatoes were unexceptionable, and were dealt out in regulation rations. Each prisoner is allowed a cup of coffee in the morning and a cup of tea at night. Pudding or plum duff is served twice a week.

We visited the hospital, and found the premises tidy and comfortable and the patients well cared for, both in medical attendance and in articles of diet.

The female ward of the prison was also visited, and was found in an orderly and neat condition. Each cell had but a single occupant. The cells in this ward are more comfortable, better ventilated and lighted than those in the male ward.

The result of our observation, and a conversation with the officers and guards, convinces us that the female ward is under strict surveillance and commendable discipline.

The question of establishing an insane ward, in accordance with a bill passed at the last session of the Legislature, also received our attention.

An examination of the premises on the inside of the wall demonstrated that the space is now so covered with buildings and otherwise occupied, as to leave little or no room for a suitable inclosure and buildings for insane patients, unless the large three-story brick structure, once occupied as a factory, but now wholly idle and practically unused, should be either removed or converted into a separate ward. Its situation, however, is such as to render it, in its present condition, unavailable as a ward for the insane.

From such investigation as we were able to make, it would seem advisable that when an insane ward is built it should be built outside, but contiguous to the present inclosure.

PRESTON, Chairman.

REPORT OF COMMITTEE ON CONFERENCE.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: Your Committee of Conference, concerning Senate Bill No. 74—An Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire—report that we have met a like committee of the Assembly, consisting of Assemblymen Dibble, Shanahan, and Hocking, and we report that the committee agreed upon and recommend the following:

Add to section one of said Act the following words: "except the State Printing Office and its contents."

And recommend its passage as amended.

DRAY,
CRANDALL,
OSTROM,
Conference Committee.

On motion of Senator Dray, the report of the Conference Committee was adopted.

MOTION.

Senator Preston moved that the Senate now devote one and one half hours to the consideration of Assembly Bills.

POINT OF ORDER.

Senator Ostrom raised the point of order that the Senate was now working under suspension of the constitutional provision, and the motion should not be entertained.

The Chair decided the point of order not well taken.

MOTION.

Senator Voorhies moved to amend by making Assembly Bills a special order until ten o'clock.

Senator Preston accepted the amendment, and the motion carried.

On motion of Senator Mahoney, the special order set for eight o'clock this evening was postponed until ten o'clock.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 53—An Act to amend section two thousand and twenty-four of the Code of Civil Procedure, relative to the manner of taking depositions out of the State.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, McComas, Preston, Shippee, Simpson, Sprague, Streeter, and Williams (Geo. H.)—22.

NOES—None.

Title read and approved.

Assembly Bill No. 54—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure, relating to the service of summons in actions in Justices' Courts.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Crandall, Dray, Everett, Fraser, Goucher, Hamill, Harp, Mahoney, McComas, McGowan, Mead, Preston, Shippee, Streeter, Voorhies, and Williams (Geo. H.)—22.

NOES—None.

Title read and approved.

Assembly Bill No. 56—An Act to amend section one hundred and twenty-eight of the Civil Code of the State of California, relative to actions in divorce cases.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dray, Everett, Fraser, Goucher, Hamill, Harp, Mahoney, McComas, Mead, Preston, Shippee, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—23.

NOES—None.

Title read and approved.

Assembly Bill No. 58—An Act to amend section one thousand two hundred and five of the Penal Code, relating to fines and imprisonment.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Sprague, Streeter, and Williams (Geo. H.)—24.
NOES—None.

Title read and approved.

Assembly Bill No. 66—An Act authorizing incorporated cities to acquire, by gift, purchase, or condemnation proceedings, water, water rights, reservoir sites, rights of way, and other appliances for supplying such cities and their inhabitants with water.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Denison, Dray, Everett, Fraser, Goucher, Harp, Mahoney, McGowan, Ostrom, Preston, Shippee, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—22.
NOES—None.

Title read and approved.

Assembly Bill No. 101—An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale.

Bill read third time.

Senator McGowan moved that the bill be referred to Senator Carpenter, as a special committee of one, to make the following amendments:

So ordered.

In the case of unoccupied property, if the owner cannot be found, a similar but conspicuous notice shall be posted, and kept posted in a conspicuous place upon the property, during not less than thirty (30) days next before the expiration of the time for the redemption, or thereafter next before the purchaser applies for a deed, which notice must also be published during the same period in a newspaper of general circulation published at the county seat of the county in which said property is situated (or if there be no such newspaper, then in a newspaper published near thereto), in every regular issue of such newspaper during the said period; and no deed of property sold at a delinquent tax sale shall be issued by the Tax Collector, or any officer, to the purchaser of such property, until the notice herein provided for shall have been given, and such purchaser shall have filed with such Tax Collector, or other officer, an affidavit showing that the notice hereinbefore required to be given has been given as herein required, and that due diligence has been used to notify the owner personally, which said affidavit shall be filed and preserved by the Tax Collector as other files, papers, and records kept by him in his office.

Such purchaser shall be entitled to receive the sum of three dollars for the service of said notice and the making of said affidavit, and also a reasonable amount for the cost of publication, when necessary, which sum of three dollars, and cost of publication, shall be paid by the redemptioner at the same time and in the same manner as other costs, percentages, penalties, and fees are paid; *provided, however*, that if redemption is made within eleven months of the date of sale, the purchaser shall not be entitled to the three-dollar fee.

SEC. 3. This Act shall take effect and be in force from and after its passage.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Assembly Bill No. 101, with instructions to amend, has had the same under consideration, and respectfully report the same back, amended as per your instructions.

CARPENTER, Committee.

Committee report adopted.

Bill ordered printed as amended.

Assembly Bill No. 129 passed on file temporarily.

Assembly Bill No. 20—An Act to amend section four hundred and eight of the Code of Civil Procedure.

Bill read third time, and refused final passage by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Campbell of Solano, Campbell of Siskiyou, Crandall, Denison, Dray, Everett, Fraser, Goucher, Maher, Mahoney, McComas, Preston, Simpson, Streeter, and Voorhies—18.
NOES—Messrs. McGowan, Ragsdale, and Shippee—3.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 25, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrants in favor of the following names for the amounts set opposite them, for mileage on account of the visit of the sub-Committee on Hospitals to the State Insane Asylums at Stockton, Agnews, and Napa:

Senator Wm. Simpson, two hundred and seventy-five miles	$27 50
Senator R. H. Campbell, two hundred and seventy-five miles	27 50
Senator T. D. Harp, two hundred and seventy-five miles	27 50
M. W. Simpson, clerk, two hundred and seventy-five miles	27 50

The same to be paid out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BYRNES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant for the sum of sixteen dollars and eighty cents in favor of each of the following Senators, viz.: T. C. Maher, J. H. Mahoney, and J. W. Welch, the same being for mileage of said Senators in traveling to San Francisco and return, while acting as a sub-committee from the Committee on Labor and Capital, to inquire into the merits of Senate Bill No. 639, providing for the employment of destitute citizens, the above amount to be paid out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BYRNES, Chairman.

On roll call the reports were adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Denison, Fraser, Hamill, Harp, Maher, McComas, Preston, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—20.
NOES—Mr. Ostrom—1.

RESOLUTION—(OUT OF ORDER).

By Senator Preston:

Resolved: That the Controller be and that he is hereby directed to draw his warrant in favor of Senator M. H. Mead for the sum of fifty-seven dollars and sixty cents, payable out of the Contingent Fund of the Senate, for mileage of the Committee on Prisons and Prison Buildings, for visiting the prison at San Quentin, as per the following items:

Senator J. E. McComas, one hundred and ninety-two miles	$19 20
Senator E. C. Voorhies, one hundred and ninety-two miles	19 20
Senator M. H. Mead, one hundred and ninety-two miles	19 20

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 129—An Act to add an additional section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain a divorce, or to aid therein.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—23.
NOES—None.

Title read and approved.

Assembly Bill No. 214—An Act to amend section eight hundred and seventy-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Campbell of Solano, Carpenter, Crandall, Denison, Everett, Fraser, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Williams (Wm. H.)—24.
NOES—Messrs. Bailey and Berry—2.

Title read and approved.

Assembly Bill No. 215—An Act to amend section seven hundred and seventy-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.
NOES—None.

Title read and approved.

Assembly Bill No. 34—An Act concerning the costs in civil actions for serving summonses and subpœnas.

Bill read third time.

Senator Carpenter moved that Senator Goucher be appointed a special committee of one to make the following amendment:

Strike out of section one all after the word "Sheriff" in line two, and insert the following: "The person so serving shall be allowed by the Court issuing the process such sum as the Court may think proper, not exceeding the amount allowed Sheriffs by law."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Assembly Bill No. 34, with instructions to amend, has had the same under consideration, and respectfully report the same back, amended as per your instructions.

GOUCHER, Committee.

Report of special committee adopted, and bill ordered printed as amended.

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read third time.

Senator Crandall moved to amend the title by inserting after the word "amend," "section eight hundred and sixty-two of;" also, by striking out the word "that," in line one, and insert in lieu thereof the words "section one."

Adopted.

Senator Carpenter moved that further consideration of the bill be temporarily passed.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Joint Resolution No. 24—Relative to the appointment, as the Chief of the Department of Horticulture, Viticulture, and Floriculture of the Columbian Exposition, of some citizen of California.

Also: Senate Bill No. 39—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

Also: Senate Bill No. 122—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the obligations of coterminous owners and others claiming interest or rights in land, and providing for the construction and maintenance of division fences.

Also: Senate Bill No. 213—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties.

Also: Senate Bill No. 389—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having fifty thousand inhabitants and over that number, providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors.

Also: Substitute for Senate Bill No. 388—An Act to divide the State of California into Congressional districts.

RAGSDALE, Chairman.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 413—An Act making an appropriation to pay the deficiency in the appropriation for repairs for State Capitol building and furniture, for the forty-first fiscal year.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—28.

NOES—Mr. Campbell of Solano—1.

Title read and approved.

Assembly Bill No. 68, resumed.

Senator Carpenter moved to amend by striking out of section nine, the last sentence of the section.

Adopted.

On motion of Senator Carpenter, the bill was ordered printed as amended.

SPECIAL ORDER.

Senate Bill No. 639—An Act to provide for the employment of destitute citizens, and making an appropriation therefor.

Bill read first time.

MOTION.

Senator Dray moved to adjourn.

Senators Crandall, Carpenter, and Broderick demanded the roll call.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, McComas, Mead, Ostrom, Shippee, and Streeter.—18.

NOES—Messrs. Banks, Berry, Britt, Broderick, Mahoney, McGowan, Voorhies, Welch, and Williams (Wm. H.)—9.

ADJOURNMENT.

The Senate stood adjourned at ten o'clock and fifteen minutes P. M.

IN SENATE.

SENATE CHAMBER,
Friday, February 27, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator McComas moved that further reading of the Journal be dispensed with.

So ordered.

MOTIONS.

Senator Bailey moved that the special order set for this hour be reset for Tuesday, at eleven o'clock A. M.

So ordered.

Senator Goucher moved that Assembly Bill No. 224, set for this hour, be postponed one hour.

So ordered.

LEAVE OF ABSENCE.

Senator Goucher asked leave of absence for Senator Heacock for to-day, on account of sickness.

Granted.

MOTION.

Senator Hamill moved the reconsideration of the vote by which substitute for Assembly Bill No. 185 was finally passed yesterday.

Senator Ostrom moved to amend, by making the reconsideration a special order for Monday, immediately after reading of the Journal.

PREVIOUS QUESTION.

Senator Sprague moved the previous question.

Senators De Long, Fraser, and Sprague demanded the ayes and noes.

Upon the question, "Shall the main question be now put?"

The roll was called, and it was so ordered by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Dargie, Everett, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—21.

NOES—Messrs. Berry, Carpenter, Crandall, De Long, Denison, Dray, Flint, Fraser, Mead, Ostrom, Preston, and Shippee—12.

On Senator Ostrom's amendment to make the reconsideration a special order for Monday.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Berry, Carpenter, Crandall, De Long, Denison, Dray, Flint, Fraser, Mead, Ostrom, Preston, Seawell, and Shippee—13.

NOES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Dargie, Everett, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—22.

The roll was then called on Senator Hamill's motion to reconsider, and the Senate refused to reconsider by the following vote:

AYES—Messrs. Berry, Carpenter, Crandall, De Long, Denison, Dray, Flint, Fraser, Mead, Ostrom, Preston, Seawell, and Shippee—13.

NOES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Dargie, Everett, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—22.

LEAVE OF ABSENCE.

Senator Flint asked leave of absence for Senator Ragsdale for this forenoon.

Granted.

SPECIAL FILE OF URGENCY CASES.

Senate Bill No. 375—An Act authorizing the Attorney-General to dismiss those certain actions pending in the Superior Court of the City and County of San Francisco, and numbered eleven thousand seven hundred and six, eleven thousand nine hundred and twenty-five, and

eleven thousand nine hundred and twenty-six, upon payment to him for the use of the State of certain moneys.

Bill read second time.

The following committee amendments were submitted:

Amend by striking out of section one, line one, of printed bill, the words "and directed," and insert in place thereof the following: "in his discretion."

Adopted.

Also: Amend section one, line ten, of printed bill, by inserting after the word "same" the words "in his discretion."

Adopted.

Senator Dargie moved that the bill be ordered printed, and made a special order for to-morrow at four o'clock P. M.

Senate Bill No. 393—An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Dray, Everett, Hamill, Harp, Maher, McComas, Ostrom, Shippee, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—23.

NOES—None.

Title read and approved.

Senator Crandall gave notice that on to-morrow he would move to reconsider the vote by which Senate Bill No. 393 was finally passed.

Senate Bill No. 255—An Act to amend section five hundred and ninety-eight of the Civil Code of the State of California, relating to benevolent and religious corporations.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Goucher, Hamill, Harp, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 42—An Act to amend an Act entitled "An Act to amend section three thousand four hundred and eighty-eight of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, and to make sections three thousand four hundred and forty-six, three thousand four hundred and forty-seven, three thousand four hundred and forty-nine, three thousand four hundred and fifty, three thousand four hundred and fifty-two, three thousand four hundred and fifty three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-seven, three thousand four hundred and fifty-nine, three thousand four hundred and sixty, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-three, three thousand four hundred and sixty-five, three thousand four hundred and sixty-six, three thousand four hundred and sixty-seven, three thousand four hundred and sixty-eight, three thousand four hundred and seventy-one, three thousand four hundred and seventy-two,

three thousand four hundred and seventy-three of said Political Code, relating to the reclamation of certain lands within certain municipalities," approved March 19, 1889.

Substitute for bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—28.

NOES—None.

Title read and approved.

Senator Dray moved that it be immediately transmitted to the Assembly.

So ordered.

Senator Goucher moved that Assembly Bill No. 224 be taken up immediately after the file of urgency cases be disposed of.

So ordered.

Senate Bill No. 609—An Act to amend section six hundred and eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to cemetery corporations.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, McComas, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—None.

Title read and approved.

Senate Bill No. 558 passed on file.

Senate Bill No. 517—An Act relating to the roofing of public buildings in the State of California.

Bill read second time.

Further consideration of the bill temporarily postponed.

Senate Bill No. 60—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Bill read first and second times.

Senator Goucher moved to amend by striking out all sections, words, and matter after the enacting clause, and substitute therefor the following sections, words, and matter:

SECTION 1. The sum of fifty thousand dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

SEC. 2. When the survey and location of said wagon road shall be completed and occupied by the Board of Supervisors of Mariposa County, and the acceptance thereof shall have been duly certified to by the County Clerk of the said county of Mariposa, the Controller of State is hereby authorized and directed to draw his warrant in favor of the County Treasurer of Mariposa County, in the sum of two thousand dollars, to pay for said location and survey, and the Treasurer of State is hereby authorized and directed to pay the same.

SEC. 3. When one fourth of the entire work on said road, as shown by the estimates and certificate of the engineer thereof, is fully completed, and that part or section thereof is accepted by the Board of Supervisors of Mariposa County, and the acceptance of said part or section thereof shall have been duly certified to by the County Clerk of the said county of Mariposa, the Controller of State is hereby authorized and directed to draw his warrant in favor of the County Treasurer of Mariposa County, for the sum of eighteen thousand dollars, and the Treasurer of State is hereby authorized and directed to pay the same.

SEC. 4. When one half of the entire work on the said road, as shown by the estimates and certificate of the engineer thereof, is finally completed, and the second one fourth of said road is accepted by the Board of Supervisors of Mariposa County, and the acceptance of said part or section thereof shall have been certified to by the County Clerk of the said county of Mariposa, the Controller of State is hereby authorized and directed to draw his warrant in favor of the County Treasurer of Mariposa County, for the sum of twelve thousand dollars, and the Treasurer of State is hereby authorized and directed to pay the same.

SEC. 5. When three fourths of the entire work of the said road, as shown by the estimates and certificate of the engineer thereof, is finally completed, and the third one fourth of the said road is accepted by the Board of Supervisors of Mariposa County, and the acceptance thereof shall have been certified to by the County Clerk of the said county of Mariposa, the Controller of State is hereby authorized and directed to draw his warrant in favor of the County Treasurer of Mariposa County, for the sum of twelve thousand dollars, and the Treasurer of State is hereby authorized and directed to pay the same.

SEC. 6. When the whole of the entire work on the said road, as shown by the estimates and certificate of the engineer thereof, is finally completed, and accepted by the Board of Supervisors of Mariposa County, and the acceptance thereof shall have been certified to by the County Clerk of the said county of Mariposa, the Controller of State is hereby authorized and directed to draw his warrant in favor of the County Treasurer of Mariposa County, for the sum of twelve thousand dollars, and the Treasurer of State is hereby authorized and directed to pay the same.

SEC. 7. This Act shall take effect and be in force from and after its passage.

Amendments adopted.

On motion of Senator Goucher, the bill was ordered printed and engrossed as amended.

Senate Bill No. 161—An Act to amend an Act entitled "An Act to limit and fix the rates of fares on street railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878.

Bill read second time.

Senator Hamill moved to amend by striking out of section one, line eight, the word "seven," following the words "five o'clock A. M. to," and inserting the following: "eight."

Adopted.

Senator Hamill moved to amend by striking out of section one, line eight, the words "and thirty minutes," following the words "five o'clock."

Amendment adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Siskiyou, Carpenter, Everett, Flint, Goucher, Hamill, Harp, Maher, McComas, McGowan, Mead, Preston, Ragsdale, Voorhies, Welch, and Williams (Wm. H.)—20.

NOES—Messrs. Crandall, Fraser, Ostrom, Shippee, and Simpson—5.

Senator Hamill moved to amend by adding to section one, line two, the words "approved January 1, 1878," after the word "inhabitants."

Adopted.

Senator Hamill moved to amend section four by renumbering.

Adopted.

Senator Hamill moved to amend the title by adding thereto the following: "by fixing different rates of fares at different hours, providing for the sale of tickets on street railroads, and to provide a penalty for violation of this Act."

Adopted.

Senator Hamill moved that the bill be ordered printed and engrossed as amended, and placed on special file.

So ordered.

Senate Bill No. 325—An Act to provide for the redemption of property which has been heretofore sold to irrigation districts for delinquent assessments.

Passed temporarily on file.

Senate Bill No. 597—An Act authorizing persons having claims against the State, or against counties, to prosecute and establish them in the Courts, and providing for the payment of judgments.

Passed temporarily on file.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON STATE PRISONS AND PRISON BUILDINGS, AND FINANCE.

SENATE CHAMBER, SACRAMENTO, February 27, 1891.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, and Finance, to whom was referred Senate Bill No. 126—An Act making appropriations for the purchase of jute machinery and the erection of buildings for the manufacture of jute goods, for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State—have had the same under consideration, and respectfully report the same back, with substitute, and recommend that the substitute do pass.

PRESTON, Chairman of Joint Committee.

Senator Preston moved the adoption of the substitute as recommended by the committee.

Motion carried, and substitute adopted.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Senate Bills Nos. 17 and 192—have had the same under consideration, and respectfully report the same back, and that they be stricken from the file, other bills having covered the same matter.

R. H. CAMPBELL, Chairman.

Report of committee adopted.

SECOND READING OF BILLS.

Senate Bill No. 554—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto certain new and additional sections, to provide the mode of carrying into effect certain provisions of said Act, relative to changing grades.

Bill read second time.

Senator Maher moved to amend by striking out of section forty-two, line three, the word "within," and inserting the word "in" in place thereof; and in line four, after the word "bond," inserting the words, "to be approved by the City Council."

Adopted.

Senator Maher moved to amend, by inserting in section fifty, line two, after the word "for," the words "the damage to."

Adopted.

Senator Maher moved to amend by striking out section fifty-two and inserting the following:

SEC. 52. Upon payment to the City Treasurer of the amount of the assessment sufficient to pay for the damage to land and improvement, and after the notice required by section fifty of this Act has been given, the City Council shall declare the grade to be changed in accordance with the resolution of intention, and said change of grade shall thereupon be established.

Adopted.

Bill ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 234—An Act to establish a standard of weights and measures.

On motion of Senator De Long, the hour of recess was extended until the business at hand be disposed of.

Senate Bill No. 234 read second time.

The following committee amendments were submitted:

Amend section eight to read as follows:

SEC. 8. Each County Sealer shall be entitled to receive for his services, from persons using balance weights and measures mentioned in section three hereof, the following fees: For sealing and marking every beam, one dollar; for sealing and marking measures of extension, at the rate of fifty cents per yard, not to exceed two dollars for any measure; sealing scales, from two pounds up to two hundred pounds, seventy-five cents each; from two hundred pounds to five hundred pounds, inclusive, one dollar and fifty cents each; five hundred pounds to two thousand pounds, inclusive, two dollars and fifty cents each; two thousand to six thousand, five dollars each; from six thousand (three tons) to twenty-five tons, ten dollars each; twenty-five tons up to one hundred tons, twenty-five dollars each. For sealing and marking liquid measures, if the same be of the capacity of one gallon or more, fifty cents; if less than a gallon, twenty-five cents.

Adopted.

Amend section eleven to read as follows:

SEC. 11. The Chief Sealer of Weights and Measures of the State of California shall appoint a practical scalemaker a Deputy State Sealer, to assist said State Sealer to establish the different County Sealers' offices, to adjust annually the balances, weights, and measures in the State of California, and to complete the office of the Chief Sealer at the Capitol with all necessary appliances to carry out the provisions of this Act. Said Deputy may charge to said County Sealers a fee of one hundred dollars. All such fees shall be paid into the General Fund of the State Treasury. Said Deputy Sealer shall receive a salary of one hundred and fifty dollars per month, and traveling expenses incurred in the performance of his official duties.

Adopted.

Amend section twelve to read as follows:

SEC. 12. The Secretary of State is hereby authorized and empowered, and it shall be his duty to complete the office of said Chief Sealer, at the Capitol of this State, with all the necessary appliances to carry out the provisions of this Act. The salary of said Deputy State Sealer shall be paid monthly, in the same manner as the salaries of other State officers are paid. The traveling expenses incurred by said Deputy State Sealer in the discharge of his official duties, as also the expenses incurred by the Secretary of State in completing the office of said State Sealer with all the necessary appliances, shall be paid out of the General Fund of the State Treasury, after being audited and allowed by the State Board of Examiners.

Adopted.

Bill ordered printed and engrossed as amended, and on file for third reading.

RECESS.

At twelve o'clock and forty-five minutes the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thomas Fraser, President pro tem. of the Senate, in the chair.

Roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

LEAVE OF ABSENCE.

Senator Preston asked leave of absence for Senator Carpenter for one hour.

Granted.

RESOLUTION—(OUT OF ORDER).

By Senator De Long:

Resolved, That Senate Bill No. 661 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times upon one day, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—31.

NOES—None.

CASE OF URGENCY.

Senate Bill No. 661—An Act relating to the transfer of moneys now in the State Treasury, in what is known and designated as Estate of Deceased Persons Fund, to the General Fund, as a loan.

Bill read first and second times.

Senator De Long moved that the title be amended to read as follows:

An Act relating to the transfer of moneys now in the State Treasury, in what is known and designated as Estate of Deceased Persons Fund, to the General Fund, as a loan.

Adopted.

Bill ordered printed and engrossed as amended, and on file for third reading.

Senator Crandall moved that the Journal of February 24, 1891, be approved.

So ordered.

Senator Crandall moved to have printed the proposed amendments to Senate Bills No. 341, 536, and 635.

So ordered.

COMMUNICATION.

Senator Dray submitted the following communication, which was ordered printed in the Journal:

OFFICE OF BOARD OF TRUSTEES,
SACRAMENTO, February 24, 1891.

At a meeting of the Board of Trustees of this city, held on above date, a communication was received from Wm. Beatty and E. M. Wenerholt, Committee of the Unemployed, asking this Board to indorse the action of the San Francisco Board of Supervisors, in petitioning the Legislature to pass an "Urgency Necessity Fund Bill."

The request was granted, and it was so ordered.

E. H. McKEE,
Clerk Board of Trustees, Sacramento City.

MOTION.

Senator Dray moved that Senate Bill No. 517 be taken up and read second time.

So ordered.

Senate Bill No. 517—An Act relating to the roofing of public buildings in the State of California.

Amendment by Senator Dray:

Amend section one to read: "It shall be lawful, and it is hereby made the duty of every Board of Commissioners, Board of Trustees, or other person authorized by any law of the State of California to construct or to let any contract for the construction of any public building, or the replacing a new roof upon any State public building now constructed in this State, whenever in the judgment of said Board of Commissioners, Board of Trustees, or other person, it is practicable and for the best interests of the State, to cause the same to be roofed with roofing slate, whenever the same can be done without disturbing or altering the plans and specifications adopted for the construction of such building; *provided*, that in the purchase of all slate to be used upon said buildings, preference shall be given to the producers of slate within the State of California; *provided*, the same can be procured upon as favorable terms as slate procured outside the limits of this State."

Also: By striking out sections two and three of said Act, and amend by making section four read "section two."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senator Hamill moved to take up special file of Assembly Bills.

So ordered.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 101 passed temporarily on file.

Assembly Bill No. 68 passed temporarily on file.

Assembly Bill No. 39—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of the State of California, relative to the place of trial of certain actions, where a county or city is a party and a citizen or corporation, resident of another county, is sued by a county or city.

Bill read second time.

Senator Preston moved to amend by striking out of section one all of lines eight and nine, and inserting the following: "on the motion of the defendant transferred for trial to a county other than the plaintiff, if the plaintiff be a county, and other than that in which the plaintiff is situated if the plaintiff be a city."

Adopted.

Bill ordered printed as amended.

Assembly Bill No. 271—An Act to amend section two thousand six hundred and eighty-one of an Act entitled "An Act to establish a Political Code."

Bill read second time.

Senator Ostrom moved that the Secretary be instructed to insert the following enacting clause:

The People of the State of California, represented in Senate and Assembly, do enact as follows.

So ordered.

Senator Crandall moved that the title be amended so as to read:

An Act to amend section two thousand six hundred and eighty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to roads and highways.

So ordered.

Bill ordered printed as amended.

Senator Berry moved to refer Assembly Bill No. 280 to Committees on Public Buildings other than Prison Buildings, and Finance.

So ordered.

Assembly Bill No. 693—An Act to amend section five hundred and thirty-one of the Political Code.

Bill read second time.

Senator McGowan moved to amend title so as to read:

An Act to amend section five hundred and thirty-one of the Political Code of the State of California, approved March 12, 1872, relating to State Printing.

Adopted.

Bill ordered printed as amended.

Assembly Bill No. 694—An Act to amend sections three hundred and thirty-two, three hundred and thirty-three, and three hundred and thirty-four of the Political Code.

Bill read second time.

Amendments by Senator Streeter:

Amend by striking out of section one, line six, after the word "ninety," the word "three," and insert in lieu thereof the word "two;" also, strike out of same section, line eight, the word "three" and insert the word "two."

Adopted.

Also: Amend section three by inserting after the word "thereof," in line four, section three hundred and thirty-four, as herewith annexed:

SEC. 3. Section three hundred and thirty-four is hereby amended so as to read as follows:

Section 334. The Superintendent of State Printing must print such reports, or such part or parts of said reports, as may be ordered by the State Board of Examiners, in a manner to be designated by said Board, before the first Monday in December next after receipt thereof, except the report of the State Controller, which shall be printed before the fifteenth day of January after the receipt thereof, and distribute the same in accordance with the directions of the Board of Examiners.

SEC. 4. Section three hundred and thirty-five is hereby repealed.

SEC. 5. All Acts and parts of Acts in conflict with this Act are hereby repealed.

SEC. 6. This Act shall take effect from and after its passage.

Adopted.

Also: Amend title so as to read: An Act to amend sections three hundred and thirty-two, three hundred and thirty-three, and three hundred and thirty-four, and to repeal section three hundred and thirty-five of the Political Code of the State of California, approved March 12, 1872, relating to public reports.

Adopted.

Bill ordered printed as amended.

Assembly Bill No. 244—An Act to amend section six hundred and thirty-seven of the Penal Code of the State of California, relating to the construction and repairing of fish ladders on dams and other obstructions in the running waters of this State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 110—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved

March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State," approved March 19, 1889.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 432—An Act to provide for furnishing assistants to every attorney and counselor, City Attorney, and City and County Attorney, and to each law officer, of whatever official name he may be designated, officially conducting the civil litigation of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated as officers of each city, or city and county, and establishing the compensation and prescribing the duties of such assistants.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 167—An Act creating a lien in favor of owners, or those in charge of stallions, jacks, and bulls used for propagating purposes, and providing for the operation of such lien.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 16—An Act to prevent the sale of intoxicating liquors to minor children.

Bill read second time, and ordered on file for third reading.

Senator Voorhies moved to take up Assembly Messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 301—An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Also: Passed Assembly Bill No. 594—An Act to amend section two thousand three hundred and forty-nine of the Political Code of California, relating to public waters and obstructions therein.

Also: Concurred in Senate amendments to Assembly Bills No. 52, 197, and Assembly Joint Resolution No. 3.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following:

Assembly Bill No. 734—An Act to divide the State into legislative districts, as required by section six, article four, of the Constitution, and to provide for the election of Assemblymen and Senators in such districts.

Also: Assembly Bill No. 219—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure, in relation to judgments and orders in cases of contempt, and providing for appeals therefrom.

Also: Senate Bill No. 23—An Act to amend sections four hundred and four hundred and one of the Penal Code, relating to contagious diseases among animals, and to renumber said sections.

Also: Senate Bill No. 143—An Act authorizing and requiring Boards or Commissions having the management and control of paid police forces to grant the members thereof yearly vacations.

Also: Senate Bill No. 149—An Act to amend section seven hundred and ninety-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

And refused passage to substitute for Senate Bills Nos. 18 and 25—An Act to amend section one thousand two hundred and thirty-eight of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872, relating to the dismissal of actions, and to appeals.

Also: Passed Assembly Bill No. 696—An Act to amend an Act entitled "An Act to reincorporate the city of San José," approved March 17, 1874.

Also: Adopted the following report, viz.:

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1891.

MR. SPEAKER: Your Committee on Conference, concerning Assembly Bill No. 79—An Act to amend section three thousand six hundred and fifty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of Assessors—report that we have met a like committee of the Senate, consisting of Senators Carpenter, Dray, and Denison, and we report that the Conference Committee agreed upon and recommend the following: Add to section one of said bill, subdivision six, to read as follows:

"This Act shall apply only to counties of the second and third class."

And recommend its passage as amended.

GALBRAITH,
CARTER,
CRAM,
Conference Committee.

H. A. MASON, Chief Clerk,
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 745—An Act to amend section two of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever;" and to repeal an Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year.

Also: On February twenty-fifth, adopted Assembly Joint Resolution No. 18—Relating to the World's Columbian Exposition, to be held in Chicago, in eighteen hundred and ninety-three.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to section thirty-four of article four of the Constitution of the State of California.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, in accordance with your request, has appointed the following Committees of Conference:

On Assembly Bill No. 79, Messrs. Cram, Galbraith, and Carter.

On Senate Bill No. 74, Messrs. Dibble, Shanahan, and Hocking.

Also: Respectfully refuse to recede from Assembly amendments to Senate Bills Nos. 13 and 14, and have appointed a Committee on Conference on said Senate Bills Nos. 13 and 14, as follows: Messrs. Bruner, Gould, and Clark; and respectfully ask for the appointment of a like committee on the part of the Senate.

Also: Respectfully inform your honorable body that the action of the Assembly in refusing to concur in Senate Joint Resolution No. 11 was final.

H. A. MASON, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 212—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Also: On February twenty-fifth, amended and adopted as amended, Senate Constitutional Amendment No. 11—A resolution to propose an amendment to sections fifteen and nineteen, article five, of the Constitution.

Also: Passed Senate Bill No. 176—An Act to ascertain and express the will of the people of the State of California upon the subject of election of United States Senators.

Also: Passed Senate Bill No. 82—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Also: Passed Senate Bill No. 7—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, town, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 10, 1887.

Also: Passed Senate Bill No. 24—An Act to amend section four hundred and one of the Penal Code, relating to the adulteration of candy, and to renumber said section.

Also: Passed Senate Bill No. 92—An Act to provide penalties for failure to pay tolls, by false returns or otherwise, to any Board of State Harbor Commissioners of the State of California.

Also: Passed Assembly Bill No. 741—An Act for the relief of Colonel Jonathan D. Stevenson.

Also: Passed Assembly Bill No. 333—An Act to validate proceedings for the reorganization of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and also since the passage of the Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883.

Also: Passed Assembly Bill No. 396—An Act to provide for the redemption of property which has been heretofore sold to irrigation districts for delinquent assessments.

Also: Passed Assembly Bill No. 180—An Act to designate the quality of goods manufactured and prepared in the State of California, and to require manufacturers to stamp upon their products and manufactures the class of labor employed in their preparation.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bills Nos. 301 and 594 ordered on special file of Assembly Bills.

Assembly Bill No. 219 ordered to special file of Assembly Bills.

Senate Bills Nos. 23, 143, and 149 ordered to enrollment.

Assembly Bills Nos. 696, 734, 745, 409, Assembly Joint Resolution No. 18, Assembly Constitutional Amendment No. 5, Assembly Bills Nos. 212, 741, 333, and 180 ordered to special file of Assembly Bills.

Senate Bills Nos. 176, 82, 7, 24, and 92 ordered to enrollment.

Senator Voorhies moved that substitute for Assembly Bill No. 734 be substituted for substitute for Senate Bill No. 408, and be placed on special file.

So ordered.

Senator Hamill moved to postpone special order set for three o'clock and thirty-five minutes P. M., until matters at hand be disposed of.

So ordered.

Senator Carpenter moved that a Committee on Conference be appointed to confer with Assembly Conference Committee, to consider Assembly Bill No. 79.

So ordered.

The Chair appointed Senators Carpenter, McGowan, and Goucher.

Assembly amendment to Senate Constitutional Amendment No. 11 was adopted.

Senator Goucher moved that Assembly Bill No. 396 be placed on urgency file in lieu of Senate Bill No. 325.

So ordered.

MOTION.

Senator Voorhies moved to postpone urgency matters temporarily, and consider the special orders set for three o'clock and thirty minutes and three o'clock and thirty-five minutes P. M. to-day.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Hamill, Maher, Mahoney, McComas, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.

NOES—Berry, Britt, Goucher, Harp, Mead, and Ostrom—6.

POINT OF ORDER.

Senator Goucher raised the point of order that the Senate, by two-thirds vote, had decided to consider urgency matters yesterday, and that a three-fifths vote could not now change the result.

The Chair declared the point not well taken.

Senator Goucher appealed from the decision of the Chair.

On the question, "Shall the decision of the Chair stand as the decision of the Senate?"

The roll was called, and the Chair sustained by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Flint, Hamill, Mahoney, McComas, McGowan, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, and Voorhies—23.

NOES—Messrs. Britt, Goucher, Harp, Maher, Mead, Ostrom, Welch, and Williams (Wm. H.)—8.

Senate Bill No. 62—An Act for the relief of Patrick Creighton.

Bill read second time.

Senator Goucher moved to strike out the enacting clause.

Lost.

Bill ordered on file for third reading.

Substitute for Senate Bill No. 388—An Act to divide the State of California into Congressional districts.

Read third time.

Senator Ostrom moved that Senator Goucher be appointed a special committee of one to amend the substitute as follows:

Amend by striking out of section one, line four, the words "Sonoma, Napa, and Marin," and inserting the following: "Yuba, Sutter, Butte, Colusa, Lake, and Yolo."

Also: Amend by striking out of section one, lines six and seven, the words "Butte, Sutter, Yuba, Calaveras, Mono, Inyo, Alpine, Tuolumne, Mariposa, and San Joaquin," and inserting the following: "Sonoma, Napa, Contra Costa, and Solano."

Also: Amend by striking out of section one, in line nine, the words "Colusa, Yolo, Lake, Solano, Contra Costa," and inserting the following: "San Joaquin, Santa Clara."

Also: Amend by inserting the following in section one, line twenty-one, after the word San Francisco: "And the county of Marin."

Also: Amend by striking out of section one, line twenty-five, the words "Santa Clara" and inserting the following: "Santa Cruz."

Also: Amend by striking out of section one, lines twenty-six and twenty-seven, the words "Santa Cruz, and Los Angeles," and inserting the following: "Calaveras, Alpine, Tuolumne, Mariposa, Mono, Stanislaus, Merced, San Benito, Fresno, Tulare, Kern, and Inyo."

Also: Amend by striking out of section one, line twenty-eight, the words "Stanislaus, Merced, San Benito, Fresno, Tulare, Kern," and inserting the following: "Los Angeles."

Ayes and noes were demanded by Senators Hamill, Broderick, and Ostrom.

The roll was called, and the motion lost by the following vote:

Ayes—Messrs. Berry, Britt, Goucher, Hamill, Harp, Mead, Ostrom, Welch, and Williams (Wm. H.)—9.

Noes—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Maher, McComas, McGowan, Preston, Ragsdale, Shippee, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—22.

The roll was called, and the bill finally passed by the following vote:

Ayes—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Maher, McComas, McGowan, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—24.

Noes—Messrs. Berry, Britt, Goucher, Hamill, Harp, Mead, Ostrom, Welch, and Williams (Wm. H.)—9.

Title read and approved.

Senator Voorhies moved that the bill be immediately transmitted to the Assembly.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

Senate Chamber, Sacramento, February 27, 1891.

Mr. President: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 44—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Also: Senate Bill No. 170—An Act making an appropriation to pay the claims of Charles F. Reed, C. E. Grunsky, and J. J. Crawford for expenses incurred as members of the Examining Commission on Rivers and Harbors.

Also: Senate Bill No. 188—An Act to amend section six hundred and sixteen of the Political Code, relating to insurance companies.

Also: Senate Bill No. 239—An Act to amend section three thousand and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Boards of Health.

Also: Senate Bill No. 256—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Also: Senate Bill No. 288—An Act to amend section one thousand nine hundred and sixty-two of the Code of Civil Procedure of California, to be known as subdivision eight, relating to what are deemed conclusive presumptions.

Also: Senate Bill No. 599—An Act entitled an Act relating to the working, rights of way, easement, and drainage of mines in the State of California.

Also: Senate Bill No. 163—An Act to authorize Boards of Health and Health Officers in cities, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such cities, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

Also: Senate Bill No. 647—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887, and section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885, relating to liens of mechanics and others.

Also: Senate Bill No. 146—An Act to amend section one thousand four hundred and one of the Civil Code, relating to the disposition of community property on the death of the husband or wife, and to repeal section one thousand four hundred and two of said Code.

Also: Senate Bill No. 545—An Act to define the duties of and to license land surveyors.

Also: Senate Bill No. 566—An Act to amend sections one thousand three hundred and fifty-two, one thousand three hundred and seventy, and one thousand seven hundred and fifty-one of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the disabilities of married women to act as executors, administrators, or guardians.

RAGSDALE, Chairman.

Also:

Senate Chamber, Sacramento, February 27, 1891.

Mr. President: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 10—An Act to amend section six hundred and forty-nine of the Code of Civil Procedure of the State of California, relative to the claims of third persons of property levied upon under writs of execution and attachments, as to the procedure upon said claims, and as to the necessary prerequisites to their being received.

Also: Senate Bill No. 77—An Act to legalize certain acknowledgments.

Also: Senate Joint Resolution No. 1—Relative to United States Senate Bill No. 8150.

Also: Senate Joint Resolution No. 4—Relative to the abolishment of the duty on grain bags, burlaps, gunnys, or gunny cloth.

Also: Senate Joint Resolution No. 7—Relative to coast defense.

Also: Senate Joint Resolution No. 15—Relative to the prevention of the importation of opium.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

MOTION.

Senator Sprague moved that the Senate do now take a recess.

Ayes and noes demanded by Senators Sprague, Flint, and Everett.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Bailey, Byrnes, Dargie, De Long, Denison, Dray, Everett, Flint, Mahoney, McComas, Ragsdale, Simpson, Sprague, and Streeter—14.

NOES—Messrs. Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Fraser, Goucher, Hamill, Harp, Maher, McGowan, Mead, Ostrom, Preston, Shippee, Williams (Wm. H.), and Williams (Geo. H.)—20.

RESOLUTION—(OUT OF ORDER).

By Senator Harp:

Resolved, That Assembly Bill No. 396 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Mahoney, McComas, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.

NOES—None.

CASE OF URGENCY.

Assembly Bill No. 396—An Act to provide for the redemption of property which has been heretofore sold to irrigation districts for delinquent assessments.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—30.

NOES—None.

Title read and approved.

RECESS.

At five o'clock P. M. the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thomas Fraser, President pro tem. of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

Senator Crandall asked permission to submit a substitute for Senate Bill No. 597.

Granted.

Substitute for Senate Bill No. 597—An Act authorizing persons having claims against the State, or against counties or municipal corporations, to prosecute and establish them in the Courts of this State, and providing for the payment of judgments therefor.

Bill read first time, and ordered printed, and retain the place of the original on the urgency file.

Senator Carpenter moved to postpone consideration of the reconsideration of the vote by which Senate Bill No. 43 was finally passed, until Tuesday, at four o'clock P. M.

Senator Britt raised the point of order, that as the time had passed at which the consideration of this motion was set, it could not be taken up.

The Chair decided the point not well taken.

Senator Dray moved that Rule No. 35, of the Standing Rules of the Senate, be suspended temporarily, and that the Senate now consider Senator Carpenter's notice to reconsider.

The roll was called, and Senator Dray's motion adopted by the following vote:

Ayes—Messrs. Bailey, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Hamill, Maher, Mahoney, McComas, Mead, Shippee, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—22.

Noes—Messrs. Berry, Britt, Byrnes, Campbell of Solano, Goucher, Harp, Ostrom, and Williams (Wm. H.)—8.

Senator McGowan was paired with Senator Heacock.

Senator McGowan would have voted "no" and Senator Heacock "aye."

Senator Ostrom raised the point of order that three fifths of the members of the Senate did not vote for the motion.

The Chair ruled the point of order not well taken.

Senator Carpenter then renewed his motion that the special order set for seven o'clock and thirty minutes to-night be made a special order for Tuesday, at four o'clock P. M.

Senator W. H. Williams moved to amend, by indefinitely postponing the reconsideration of the vote.

The roll was called, and the amendment adopted by the following vote:

Ayes—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Everett, Goucher, Harp, Maher, Mahoney, Ostrom, Simpson, Welch, Williams (Wm. H.), and Williams (Geo. H.)—17.

Noes—Messrs. Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Flint, Fraser, Hamill, McComas, Mead, Shippee, Sprague, Streeter, and Voorhies—15.

Senators McGowan and Heacock were paired.

Senator Heacock would have voted "no" and Senator McGowan "aye."

LEAVE OF ABSENCE.

Senator Voorhies asked leave of absence for Senator Preston for the day.

Granted.

Senator Broderick asked leave of absence for Senator Ragsdale for the day.

Granted.

Senator Dray asked leave of absence for Senator De Long for the day.

Granted.

Senator Broderick moved that Senate Bill No. 43 be immediately transmitted to the Assembly.

So ordered.

SPECIAL FILE OF URGENCY CASES.

Senate Bill No. 103—An Act to form Pomona County, classify it, define its boundaries, provide for its organization and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Bill read second time, ordered engrossed, and on motion of Senator McComas, made a special order for Tuesday next, at eleven o'clock A. M.

Senator Ostrom moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Senator Dray moved that further proceedings under the call be dispensed with.

So ordered.

LEAVE OF ABSENCE.

Senator Everett asked leave of absence for Senator Flint for the day.

Granted.

SPECIAL FILE OF URGENCY CASES—(RESUMED).

Senate Bill No. 346—An Act to appropriate the sum of three thousand one hundred dollars to purchase adjacent lands at San Quentin for the use of the State Prison, together with the improvements thereon.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Ostrom, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.

NOES—Mr. Campbell of Solano—1.

Title read and approved.

Senator Sprague moved that Rule 35 be temporarily suspended, to permit consideration of Assembly Bill No. 224.

The roll was called, and the motion adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.
NOES—Mr. Ostrom—1.

Assembly Bill No. 224—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1877, by amending sections one, two, three, four, eleven, twelve, thirty-five, and forty-two thereof, relating to irrigation districts.

RESOLUTIONS—(OUT OF ORDER).

By Senator Maher:

WHEREAS, The rules of good breeding and health require that smoking be not allowed in the Chamber; therefore, be it

Resolved, That the Sergeant-at-Arms be instructed to arrest all Senators and others smoking within the bar of the Senate.

Adopted.

By Senator Campbell of Solano:

Resolved, That the Controller of State be and he is hereby authorized to draw his warrant, and the Treasurer is directed to pay the same, payable out of the Contingent expenses of the Senate, in favor of the Secretary of Senate for the sum of thirty-five ($35) dollars, for rubber stamps and stencils to be used by the Clerks at the desk.

Resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Goucher, Hamill, Harp, Maher, Mahoney, McGowan, Ostrom, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—24.
NOES—None.

CONSIDERATION OF ASSEMBLY BILL No. 224.

The following amendments to Assembly Bill No. 224, submitted on Wednesday last, were then taken up for consideration:

By Senator Crandall:

Amend by adding to section two, at end of line forty-six, the words "and shall be a freeholder in such districts, assessed on the last preceding assessment roll prior to such election as the owner of real property in said districts other than town, village, or city property."

Lost.

By Senator Berry:

Strike out in line two, of section one, the words "holders of title or evidence of title to," and insert in lieu thereof the words "freeholders owning."

Lost.

Also: In line three of section one, after the word "lands," insert "other city, town, or village lands."

Lost.

Also: Strike out lines, eight, nine, and ten of section one.

Lost.

Also: Amend section two by striking out the words "holders of title of such proposed district evidenced as above provided," in lines four and five, and insert in lieu thereof the words "freeholders owning lands as aforesaid, other than city, town, or village lands."

Lost.

By Senator Crandall:

Amend section three by striking out all of line ten after the word "offices;" also, line eleven and all of line twelve, before the word "said" in said line twelve.

By Senator Goucher:

Amend the amendment by striking out of section three, line ten, all after the word "offices;" also, strike out all of lines eleven and twelve to and including the word "district," and insert in lieu thereof the following: "and no action shall be commenced or maintained or defense made affecting the validity of the organization unless the same shall have been commenced or made within two years after the making and entering of said order."

The question being on the adoption of Senator Goucher's amendment to Senator Crandall's proposed amendment, it was adopted.

The question being then upon Senator Crandall's proposed amendment, as amended, it was adopted.

By Senator Bailey:

SEC. 3. Section five of said Act is hereby amended so as to read as follows:

Section 5. If, upon the hearing of any such petition, no evidence or proofs in support thereof be introduced, or if the evidence fail to sustain said petition, and if the Board deem it not for the best interests of the district that the lands or some portion thereof mentioned in the petition should be excluded from said district, the Board shall order that said petition be denied; but if they deem it for the best interests of the district that the lands mentioned in the petition or some portion thereof be excluded from the district, and if no person interested in the district show cause, in writing, why the said lands or some portion thereof should not be excluded, or, if having shown cause, withdraws the same, and also, if there be no outstanding bonds of the district, or, if upon such hearing it shall appear from the evidence and proofs introduced that said lands or the greater portion thereof cannot be irrigated from a common source and by the same system of works with the other lands of said district, or from the source selected, chosen, or provided for such irrigation, or that said lands will not be benefited by said system of irrigation, or that said lands or the greater portion thereof are already irrigated from another source, or that said lands or the greater portion thereof can be so irrigated more speedily, cheaply, beneficially, or advantageously to the owner or owners thereof than from the source selected, provided, or chosen for the other lands in said district, then it shall be the duty of the Board to, and it shall forthwith make an order that the said lands or some defined portion thereof be excluded from said district. If the Board should deny any such petition upon the hearing of what evidence as aforesaid was introduced, an appeal may be taken from the decision of said Board within ten days after notice thereof shall have been served upon the petitioner or petitioners, to the Board of Supervisors of the county wherein said lands are situate, by filing with the Clerk of said Board a notice of appeal from such decision, and within thirty days after the filing of such notice of appeal the Secretary of such Board of Directors of said irrigation district shall transmit to the Clerk of the said Board of Supervisors the record of the evidence taken before the said Board of Directors on the hearing of such petition, and all orders or proceedings had or taken in the matter; and upon such record and such other and additional evidence as the parties may produce, the said Board of Supervisors shall hear and determine the said petition, and either deny or grant the same, in whole or in part, and make an order excluding, in whole or in part, the lands therein described from said district, or an order refusing so to do.

If, however, said petitioner or petitioners should not choose to appeal to the said Board of Supervisors from the decision of the Board of Directors, he or they shall have the right, provided the same shall be exercised within twenty days after notice of such decision shall have been served upon him or them, to institute an action, as plaintiff or plaintiffs, against the said Board of Directors, as defendants, in the Superior Court of the county in which the lands of the district, or some portion thereof, are situated, for the purpose of obtaining a judgment of said Court that the lands mentioned in said petition should be excluded from said district. Such action shall be commenced by the filing of a complaint in said Superior Court by said petitioner or petitioners as plaintiff or plaintiffs. A summons shall thereupon be issued on said complaint, directed to the Board of Directors of said district, and requiring said Board to appear and answer said complaint within ten days after the service thereof, and in all other respects be in the form prescribed for summonses in civil actions. The complaint shall state the facts

showing the organization of the district and the proceedings had before the Board of Directors in the matter of the plaintiff's petition for the exclusion of his lands from such district, and shall also state, according as the fact or facts shall be, either that the said lands, or the greater portion thereof, cannot be irrigated from a common source and by the same system of works with the other lands of said district, or that the same cannot be irrigated from the source selected, chosen, or provided for the irrigation of the lands of such district, or that said lands will not be benefited by said system of irrigation, or that said lands, or the greater portion thereof, are already irrigated from another source, or that said lands, or the greater portion thereof, can be so irrigated more speedily, cheaply, beneficially, or advantageously to the owner or owners thereof than from the source selected, provided, or chosen for the other lands in said district. At the time fixed in said summons for answering or demurring to the said complaint, the defendants in said action may demur to or answer the same. The rules of pleading and practice provided by the Code of Civil Procedure, which are not inconsistent with the provisions of this Act, are hereby made applicable to the action and proceeding herein provided for. Upon the hearing and trial of such action, the Court shall have power and jurisdiction, and it shall be its duty to determine, upon such evidence as may be introduced by the parties thereto, the issues of fact raised by the pleadings in said action, and to find upon such issues, in the mode prescribed by the Code of Civil Procedure for findings in other civil actions, and to render judgment therein in accordance with such findings. If the Court should find that said lands, or the greater portion thereof, mentioned and described in the complaint in said action, cannot be irrigated from a common source and by the same system of works with the other lands of said district, or from the source selected, provided, or chosen for such irrigation, or that said lands will not be benefited by said system of irrigation, or that said lands, or the greater portion thereof, are already irrigated from another source, or that said lands, or the greater portion thereof, can be so irrigated more speedily, cheaply, beneficially, or advantageously to the owner or owners thereof than from the source selected, provided, or chosen for the other lands in said district, then it shall be the duty of the Court to make and cause to be entered a judgment and decree in said action, ordering, adjudging, and decreeing that said land shall be excluded from said irrigation district, and thereafter said lands shall no longer form any part of or be included within said irrigation district.

An appeal from an order granting or refusing a new trial, or from the judgment in said action, must be taken by the party aggrieved within thirty days after the entry of said order or said judgment.

Upon the making of any order by the Board of Directors or the Board of Supervisors, or the making and entry of a judgment of the Superior Court, excluding lands from the district, the Board of Directors shall make a further order describing the boundaries of the district should the exclusion of said lands change the boundaries of the district; and for that purpose the Board may cause a survey to be made of such portions of the boundaries as the Board may deem necessary.

If there be no outstanding bonds of the district prior to or at the time of the filing of any petition for exclusion hereinabove provided for, no bond or bonds shall be issued or sold until the final determination of such petition or the expiration of the time for appeal from the decision of the Board of Directors, and the expiration of the time for bringing the action in the Superior Court hereinabove provided for, nor after the institution of such action until the final determination thereof, or the expiration of the time for appeal from the judgment of the Superior Court in such action.

Lost.

The bill, as amended, ordered printed, and, on motion of Senator Goucher, made a special order for Tuesday next, at three o'clock and thirty minutes P. M.

ADJOURNMENT.

At nine o'clock and thirty-five minutes P. M., on motion of Senator Dray, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, February 28, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Brynes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Carpenter moved that further reading of the Journal be dispensed with.

So ordered.

RESOLUTION.

By Senator Maher:

Resolved, That Assembly Bill No. 741 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times upon one day, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—29.

NOES—None.

LEAVE OF ABSENCE.

On motion of Senator Dray, a leave of absence was granted Senator Heacock for this day, on account of sickness.

CASE OF URGENCY.

Assembly Bill No. 741—An Act for the relief of Colonel Jonathan D. Stevenson.

Bill read first and second times.

Senator Maher moved that Senator McGowan be appointed a special committee of one to amend as follows:

By inserting in line three, section two, after the word "same," the following: "*provided further*, that the direction herein to the Controller is exempted from the operation of section six hundred and seventy-two of the Political Code of the State of California."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 28, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Assembly Bill No. 741, with instructions to amend, has had the same under consideration, and respectfully report the same back, amended as per your instructions.

McGOWAN, Committee.

Report of committee of one adopted.

Bill, as amended, ordered printed.

LEAVE OF ABSENCE.

On motion of Senator Carpenter, a leave of absence was granted Senator Denison until Monday.

In behalf of Senator Heacock, Senator Dray asked unanimous consent to introduce a joint resolution.

Granted.

SENATE JOINT RESOLUTION No. 26.

Relative to the passage of the Conger Lard Bill by Congress.

Resolved by the Senate, the Assembly concurring, That our Senators in Congress be instructed to use their best endeavors to secure the passage in the Senate of the Conger Lard Bill, which has already passed the House of Representatives, and to secure its approval by the President.

Resolved, That his Excellency the Governor be requested to immediately transmit by telegraph the foregoing resolution to our Senators in Congress.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Hamill, Harp, Maher, Mahoney, McConnas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—31.

NOES—None.

On motion of Senator Dray, it was ordered immediately transmitted to the Assembly.

Substitute for Senate Bill No. 624—An Act appropriating money for the erection of and maintenance and support of the Sacramento Foundling Home.

Substitute adopted, and read first and second times.

Senator Carpenter moved to amend by striking out of section one, line one, the words "five thousand" and inserting the words "fifteen hundred" in lieu thereof.

Amendment lost.

Senator Mead moved to amend by substituting "twenty-five hundred" for "five thousand."

Amendment adopted.

Substitute ordered engrossed as amended, and on file for third reading.

Senator Crandall moved to reconsider the vote by which Senate Bill No. 393 was finally passed, on yesterday.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Bailey, Berry, Campbell of Solano, Crandall, Dray, Goucher, Harp, and Ostrom—8.

NOES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Dargie, De Long, Denison, Everett, Hamill, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—20.

Senator De Long moved that Senate Bill No. 393 be immediately transmitted to the Assembly.

So ordered.

Senator Ostrom asked unanimous consent to take up Senate Bill No. 265, and that Rule No. 35 of the Standing Rules of the Senate be temporarily suspended.

The roll was called, and the permission refused by the following vote:

AYES—Messrs. Berry, Carpenter, Crandall, De Long, Dray, Flint, Harp, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Welch, and Williams (Wm. H.)—15.

NOES—Messrs. Bailey, Banks, Broderick, Byrnes, Dargie, Everett, Hamill, Simpson, Sprague, Voorhies, and Williams (Geo. H.)—11.

MOTION.

Senator Ostrom moved that Senate Bill No. 265 be taken up under head of Urgency Cases.

The Chair refused to entertain the motion, on the ground that the vote just taken voiced the sentiment of the Senate in regard to this bill.

Senator Ostrom then moved the bill be made a special order for Monday, immediately after the first special order set for consideration after the reading of the Journal.

CALL OF THE SENATE.

Senator W. H. Williams moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Dray, Everett, Flint, Fraser, Hamill, Harp, Maher, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Senator Dray moved that further proceedings under the call of the Senate be dispensed with.

Motion lost.

The Sergeant-at-Arms was directed to close the doors and bring the members absent without leave before the Senate.

Senator Ostrom moved that further proceedings under the call be dispensed with.

Lost.

Senator De Long moved that further proceedings under the call be dispensed with.

Lost.

Senator Preston moved that further proceedings under the call of the Senate be dispensed with.

Lost.

Senators McComas and Britt were brought before the bar of the Senate and excused for being absent.

Senator W. H. Williams moved that further proceedings under the call of the Senate be dispensed with.

Motion carried.

On the motion of Senator Ostrom, that Senate Bill No. 265 be made a special order for Monday next, the roll was called, and the motion carried by the following vote:

AYES—Messrs. Berry, Campbell of Solano, Carpenter, Crandall, De Long, Dray, Fraser, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Williams (Geo. H.)—17.
NOES—Messrs. Broderick, Campbell of Siskiyou, Dargie, Everett, Harp, Maher, Sprague, Welch, and Williams (Wm. H.)—9.

LEAVE OF ABSENCE.

Senator Campbell of Solano asked leave of absence for Senator Goucher for the day.
Granted.

MOTION.

Senator Dargie moved to take up consideration of Senate Bill No. 375.
So ordered.
Senate Bill No. 375—An Act authorizing the Attorney-General to dismiss those certain actions pending in the Superior Court of the City and County of San Francisco, and numbered eleven thousand seven hundred and six, eleven thousand nine hundred and twenty-five, and eleven thousand nine hundred and twenty-six, upon payment to him for the use of the State of certain moneys.
Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Everett, Flint, Fraser, Hamill, Harp, Maher, Mahoney, McComas, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H)—26.
NOES—None.

Title read and approved.
Senate Bill No. 647—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887, and section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885, relating to liens of mechanics and others.
Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Dray, Everett, Flint, Fraser, Hamill, Harp, Maher, McComas, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.
NOES—None.

Title read and approved.
Senate Bill No. 163—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.
Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, De Long, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, Ostrom, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.
NOES—Messrs. Campbell of Solano, Carpenter, and Crandall—3.

Title read and approved.

RESOLUTIONS—(OUT OF ORDER).

By Senator Ostrom:

Resolved, That Senate Bill No. 565 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times upon one day, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—None.

By Senator Berry:

Resolved, That Senate Bill No. 456 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.
NOES—None.

Senator Preston asked that he be permitted to substitute for Senate Bill No. 484, already made a case of urgency, the committee substitute for Senate Bill No. 259.

Upon the adoption of the following resolution the substitution was so ordered:

By Senator Preston:

Resolved, That substitute for Senate Bill No. 259 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times upon one day, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Dray, Everett, Flint, Fraser, Goucher, Harp, Maher, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—None.

By Senator Flint:

Resolved, That Senate Bill No. 170 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times upon one day, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Welch—27.
NOES—None.

CASE OF URGENCY.

Senate Bill No. 565—An Act to amend an Act entitled "An Act to reorganize Swamp Land District No. 70, of Sutter County, and to provide for the construction, maintenance, and repairs of levees therein," approved March 27, 1878.

Bill read second and third times, considered engrossed, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Siskiyou, Carpenter, Crandall, Dray, Everett, Fraser, Goucher, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Voorhies, Welch, and Williams (Wm. H.)—25.

NOES—None.

Title read and approved.

Senator Ragsdale asked permission to substitute Senate Bill No. 131 for Senate Bill No. 409.

Permission granted and substitution ordered, upon the adoption of the following resolution:

RESOLUTION—(OUT OF ORDER).

By Senator Ragsdale:

Resolved, That Senate Bill No. 131 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times upon one day, and placed upon its passage.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Simpson, Streeter, Voorhies, Welch, Williams (Wm H.), and Williams (Geo. H.)—29.

NOES—None.

Senate Bill No. 456—An Act to amend section one thousand and ninety-six of the Political Code of the State of California, in relation to registration of voters.

Bill read second and third times, considered engrossed, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Dray, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Senator Simpson was granted a leave of absence until Monday, at two o'clock P. M.

URGENCY CASES—(RESUMED).

Substitute for Senate Bill No. 259 adopted.

Substitute for Senate Bill No. 259—An Act to appropriate money for the completion and maintenance of the Preston School of Industry.

Bill read first and second times, and considered engrossed.

LEAVE OF ABSENCE.

Senator Shippee asked leave of absence until Monday, at two o'clock P. M.

Granted.

Sergeant-at-Arms granted a leave of absence until Monday.

MOTION.

Senator Goucher moved that the hour for recess be extended for five minutes.

URGENCY CASES—(RESUMED).

Substitute for Senate Bill No. 259 read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Carpenter, Crandall, Dargie, De Long, Dray, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.

NOES—Mr. Ostrom—1.

Title read and approved.

REPORT OF STANDING COMMITTEE.

Report of Committee on Labor and Capital, upon the fraudulent practices of employment agencies submitted and ordered sent to printer, and that three hundred and sixty copies be printed for the use of Senators.

RECESS.

At twelve o'clock and thirty-five minutes P. M. the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Dray, Everett, Flint, Fraser, Harp, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

Senator Wm. H. Williams moved that the Senate adjourn until Monday, at two o'clock P. M.

Motion lost.

Senator Ragsdale asked unanimous consent to have Assembly messages considered.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 66—An Act to regulate the sale of olive oil.

Also: Amended, and passed as amended, Senate Bill No. 113—An Act to authorize the establishment of County High Schools, and provide for their support.

Also: Passed Senate Bill No. 81—An Act to provide for a State Board of Arbitration for the settlement of differences between employers and employés, to define the duties of said Board, and to appropriate the sum of two thousand five hundred dollars therefor.

Also: Passed Senate Bill No. 83—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Also: Concurred in Senate amendments to Assembly Bills Nos. 52, 197, and Assembly Joint Resolution No. 3.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 317—An Act to amend section one hundred and ninety-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the salary of the county officers in the counties of the thirty-fifth class.

Also: Senate Bill No. 464—An Act to amend sections nine hundred and thirty-six and nine hundred and thirty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Also: Amended, and passed as amended, Senate Bill No. 67—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, concerning the right of eminent domain.

Also: Concurred in Senate Joint Resolution No. 26—Relative to the passage of the Conger Lard Bill by Congress.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Assembly Bill No. 317 ordered to special file of Assembly Bills.

Senate Bills Nos. 464, 66, 81, 83, and Assembly Joint Resolution No. 26, ordered to enrollment.

On motion of Senator McGowan, the Senate concurred in Assembly amendment to Senate Bill No. 113.

On motion of Senator Dray, the Senate concurred in Assembly amendments to Senate Bill No. 67.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, February 28, 1891.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 29—An Act to amend section two hundred and twenty-four of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, in relation to the adoption of children.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 609—An Act to amend section six hundred and eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to cemetery corporations.

Also: Senate Bill No. 39—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

Also: Senate Bill No. 42—An Act to amend an Act entitled "An Act to amend section three thousand four hundred and eighty-eight of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, and to make sections three thousand four hundred and forty-six, three thousand four hundred and forty-seven, three thousand four hundred and forty nine, three thousand four hundred and fifty, three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six three thousand four hundred and fifty-seven, three thousand four hundred and fifty-nine, three thousand four hundred and sixty, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-three, three thousand four hundred and sixty-four, three thousand four hundred and sixty-five, three thousand four hundred and sixty-six, three thousand four hundred and sixty-seven, three thousand four hundred and sixty-eight, three thousand four hundred and seventy-one, three thousand four hundred and seventy-two, and three thousand four hundred and seventy-three of said Political Code, relating to the reclamation of certain lands within certain municipalities," approved March 19, 1889.

Also: Senate Bill No. 126—An Act making appropriations for the purchase of jute machinery, and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State.

Also: Senate Bill No. 161—An Act to amend an Act entitled "An Act to limit and fix the rates of fares on street railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878.

Also: Senate Bill No. 213—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties.

Also: Senate Bill No. 255—An Act to amend section five hundred and ninety-eight of the Civil Code of the State of California, relating to benevolent and religious corporations.

Also: Senate Bill No. 517—An Act relating to the roofing of public buildings in the State of California.

Also: Senate Bill No. 375—An Act authorizing the Attorney-General to dismiss those certain actions pending in the Superior Court of the City and County of San Francisco, and numbered eleven thousand seven hundred and six, eleven thousand nine hundred and twenty-five, and eleven thousand nine hundred and twenty-six, upon payment to him for the use of the State of certain moneys.

Also: Senate Bill No. 60—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Also: Senate Bill No. 94—An Act to add a new section to the Civil Code, to be known as section three hundred and twenty-eight, to enforce the provisions of section three of article twelve of the Constitution.

Also: Senate Bill No. 259—An Act to appropriate money for the completion and maintenance of the Preston School of Industry.

Also: Senate Bill No. 357—An Act to amend section twenty of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, known as the Insolvent Act of 1880.

Also: Senate Bill No. 554—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto certain new and additional sections to provide the mode of carrying into effect certain provisions of said Act, relative to changing grades.

Also: Senate Bill No. 661—An Act relating to the transfer of moneys now in the State Treasury, in what is known and designated as Estate of Deceased Persons Fund, to the General Fund, as a loan.

RAGSDALE, Chairman.

SUBSTITUTE FOR SENATE BILL No. 233.

Senator Mahoney asked unanimous consent to offer a substitute for Senate Bill No. 233.

Granted.

Substitute for Senate Bill No. 233—An Act to amend section three hundred and fifty-eight of an Act entitled "An Act to establish a Political

Code," approved March 12, 1872, relating to arrangements, contracts, agreements, trusts, and combinations in restraint of trade, and providing a defense to certain actions.

MOTION.

Senator Carpenter moved that the Senate devote the balance of the afternoon to the first reading of bills.

So ordered.

FIRST READING OF BILLS.

The following bills were read the first time:

Senate Bill No. 658—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as section two thousand one hundred, relating to official publications.

Senate Bill No. 558—An Act to prevent destruction by fire of property of contiguous owners.

Senate Bill No. 294—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885.

Senate Bill No. 603—An Act to amend sections three hundred and thirty-two, three hundred and thirty-three, three hundred and thirty-four, and three hundred and thirty-five of the Political Code.

Senate Bill No. 604—An Act to amend section five of the Political Code.

Senate Bill No. 586—An Act to repeal an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor," approved March 15, 1887.

Senate Bill No. 587—An Act to repeal an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor," approved February 26, 1885.

Senate Bill No. 598—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Senate Bill No. 171—An Act to amend subdivision twenty-three of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, and March 17, 1887, and March 16, 1889, which subdivision provides for advertising for bids for stationery for the use of the county and its officers, and provides the method of procuring blank books, job printing, and other supplies necessary for the use of the county and its officers.

Senate Bill No. 484—An Act to provide for the payment to Wm. Carey Jones, out of the moneys heretofore appropriated for the compilation of a State series of school text-books, for his services in compiling the elementary book on Civil Government for the State series of school text-books, as provided in an Act approved March 19, 1889, and in accordance with an agreement made with said Jones by C. W. Childs, as a committee of the State Board of Education, to whom said matter was referred.

Senate Bill No. 578—An Act for the relief of Barnaby Dougherty.

Senate Bill No. 593—An Act to authorize the State Prison Directors

of the State of California to employ any unemployed prisoners to construct roads to the State Prison at San Quentin.

Senate Bill No. 503—An Act to provide for the investigation of the marine fishes of the bays and coast line of the State of California, and to provide for their protection and restoration, and the introduction of new varieties.

Senate Bill No. 623—An Act to validate proceedings for the reorganization of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and also since the passage of the Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883.

Senate Bill No. 629—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part second of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relative to a system of street improvement bonds.

Senate Bill No. 552—An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California.

Senate Bill No. 605—An Act to provide pensions for teachers of the public schools of the State of California.

Senate Bill No. 381—An Act to amend the Political Code, part three, title three, article one, section one thousand five hundred and twenty-one, relating to the powers and duties of the State Board of Education.

Senate Bill No. 602—An Act to regulate the sale at retail of spirituous, malt, or fermented liquors, or wine, in the State of California, and to provide for the issuance of license.

Senate Bill No. 211—An Act to create a Board of State School Book Editors, define their duties, and provide for their compensation.

Senate Bill No. 504—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to chapter seven, title nine, part one thereof, three new sections, numbered, respectively, two hundred and ninety-nine, three hundred, and three hundred and one, forbidding the exhibition, opening, or maintaining of a bull, bear, cock, or prize fight, horse race, circus, gambling house, or saloon, or any barbarous or noisy amusement; or the keeping, conducting, or exhibiting of any theater, or other place of musical, theatrical, or operatic performance, where intoxicating drink is sold, given away, or used on Sunday; forbidding, also, the keeping open on that day of any store, workshop, bar, saloon, banking house, or other place of business for business purposes.

Senate Bill No. 622—An Act to amend an Act entitled "An Act to regulate and govern the State Prisons of California," approved March 19, 1889.

Senate Bill No. 645—An Act to repeal an Act entitled "An Act to provide for reorganizing and better regulating the Paid Fire Department of the City and County of San Francisco," approved March 28, 1878.

Senate Bill No. 562—An Act to provide for the organization and government of districts to cut through ridges to allow rapid flow from upper ponds down through the troughs adjacent to our great navigable rivers to tide water.

Senate Bill No. 627—An Act to amend an Act entitled "An Act to

establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State, and to repeal section seven hundred and ninety-three of said Code, relating to the term of office of Notaries Public, approved March 19, 1889.

Senate Bill No. 576—An Act to amend section one hundred and eighty-two of the Penal Code, relating to conspiracy.

Senate Bill No. 635—An Act to enable municipal corporations in the State of California owning public parks or city reservations of land, to preserve the same for public use, and to lease the same for a period not to exceed twenty years, in such manner as not to deprive the public of the use thereof.

Senate Bill No. 395—An Act to provide for the payment of the claim of A. B. Dibble, for professional services performed by him in the case of the People, respondent, vs. O. P. Dobbins, appellant, No. 12106, Department One of the Supreme Court, August 30, 1887.

Senate Bill No. 677—An Act to amend sections two hundred and sixty-one and two hundred and sixty-nine of the Political Code.

Senate Bill No. 638—An Act to amend section seven hundred and thirty-seven of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts of the City and County of San Francisco, and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, and Calaveras.

Senate Bill No. 633—An Act to amend section four hundred and twenty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to infraction of the revenue law.

Senate Bill No. 634—An Act to amend section three thousand six hundred and thirty of an Act entitled "An Act to establish a Political Code," relative to revenue, approved March 12, 1872.

Senate Bill No. 651—An Act to amend section four hundred and ninety-four and section one thousand and fifty-seven of the Code of Civil Procedure.

Senate Bill No. 632—An Act to amend section one hundred and thirty-seven of the Civil Code of the State of California, relating to alimony, the expense of an action for divorce, and the action for permanent support and maintenance.

Senate Bill No. 650—An Act to amend section one thousand two hundred and seventy-nine of the Penal Code, relating to the qualifications of bail.

Senate Bill No. 660—An Act making an appropriation to pay the deficiency in the appropriation for stationery, supplies, fuel, and lights for the Legislature and State officers, for the forty-second fiscal year.

Senate Bill No. 662—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General, for the forty-second fiscal year.

Senate Bill No. 663—An Act making an appropriation to pay the deficiency in the appropriation for the traveling expenses of the Attorney-General, for the forty-second fiscal year.

Senate Bill No. 664—An Act making an appropriation to pay the deficiency in the appropriation for expenses that may be incurred by the Attorney-General, for the forty-second fiscal year, in suits in the United States Courts.

Senate Bill No. 665—An Act making an appropriation to pay the deficiency in the appropriation for the Attorney-General, for the forty-second fiscal year, for costs and expenses of suits wherein the State is a party in interest.

Senate Bill No. 652—An Act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now resident of this State, and fixing penalties and punishments for violation of this Act, and providing for deportation of criminals.

SUBSTITUTION.

Senator Crandall asked unanimous consent to substitute Senate Bill No. 290 for Senate Bill No. 607; and Senate Bill No. 606 for Senate Bill No. 608.

Granted.

Senate Bill No. 290—An Act to provide for the erection of additional buildings for the use of the State Normal School at San José, California, and making an appropriation therefor.

Bill read first time.

Senate Bill No. 606—An Act to amend section three thousand six hundred and thirty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the assessment of property.

Bill read first time.

FIRST READING OF BILLS—(RESUMED).

The following bills were read first time:

Senate Bill No. 279—An Act to provide for the organization and government of districts already supplied with water for domestic and irrigation purposes, or either, and to provide for the acquisition of additional supplies of water when necessary, and to provide for the regulation and use of such water.

Senate Bill No. 610—An Act to amend an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such districts," by amending sections three, eight, and thirteen thereof.

Senate Bill No. 649—An Act amendatory of and supplemental to an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such district," approved February 16, 1889.

Senate Bill No. 625—An Act to authorize the State Board of Educa-

tion to adopt a uniform series of text-books for use in the common schools throughout the State.

Senate Bill No. 579—An Act for the relief of Emma Kelly, widow of G. H. Kelly, and appropriating ten thousand dollars therefor.

JOINT RESOLUTIONS.

All Senate Joint Resolutions appearing on first reading file to-day were ordered passed.

FIRST READING OF BILLS—(RESUMED).

The following bills were read first time:

Senate Bill No. 657—An Act to amend section three thousand four hundred and sixty of the Political Code of the State of California, in reference to making assessments on land in swamp land districts.

Substitute for Senate Bill No. 406—An Act to provide for a State Board of Charities and Correction, defining its powers and duties, and appropriating money therefor; also, prescribing the duties of State, county, and municipal officers in connection therewith.

Senate Bill No. 577—An Act to amend section two thousand six hundred and fifty-two of the Political Code of the State of California, relating to the levy and collection of road poll taxes.

Senate Bill No. 581—An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure of California.

Senate Bill No. 591—An Act to provide for establishing title to real estate by judgment of Court.

Senate Bill No. 620—An Act to amend section one hundred and fifty-eight of the Code of Civil Procedure of the State of California, relating to the residence of Judges of the Superior Court.

Senate Bill No. 630—An Act to amend sections one thousand three hundred and five and one thousand three hundred and six of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the forfeiture of the undertaking of bail.

Senate Bill No. 669—An Act to add a new section to the Civil Code of the State of California, to be numbered four hundred and ninety-seven and one half.

Senate Bill No. 670—An Act to amend an Act entitled "An Act to establish a Penal Code of the State of California," approved March 12, 1872, relating to lotteries.

Senate Bill No. 673—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having ten thousand and under twenty-five thousand inhabitants."

Senate Bill No. 677—An Act to amend sections two hundred and sixty-one and two hundred and sixty-nine of the Political Code.

Senate Bill No. 460—An Act to provide for Police Courts in cities having twenty-five thousand and under one hundred thousand inhabitants, and to provide for officers thereof.

Senate Bill No. 512—An Act to provide for the appointment of an Inspector of Live Stock in each county of this State, to fix his compensation, and prevent the spread of glanders, farcy, and other infectious or contagious diseases among live stock, and fixing a penalty for

the using, keeping, buying, or selling of any animal infected with glanders, farcy, or other infectious or contagious diseases.

Senate Bill No. 533—An Act to amend section fifty-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to county officers.

Senate Bill No. 535—An Act to amend section two hundred and forty-one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to grand juries.

Senate Bill No. 596—An Act to amend section one thousand nine hundred and twenty of the Code of Civil Procedure, relating to entries in official books and records.

Senate Bill No. 644—An Act authorizing the Attorney-General to settle and dismiss a certain action entitled "The People of the State of California ex rel. John P. Dunn, State Controller, plaintiff, vs. Frank W. Gross et al."

Senate Bill No. 653—An Act to establish a committee for the revision of the laws.

Senate Bill No. 667—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and forty-one, relating to the settlement of the accounts of deceased executors, administrators, and guardians.

Senate Bill No. 675—An Act to amend section three thousand seven hundred and seventy of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the costs and fees to be collected by the Tax Collector at the time of making sales of property for delinquent taxes.

Senate Bill No. 666—An Act to amend section five of an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money thereof," approved February 26, 1885.

Senate Bill No. 337—An Act to provide for estimating the cost and selling price of State text-books.

Senate Bill No. 338—An Act to provide for the free printing of the State school text-books.

Senate Bill No. 251—An Act entitled an Act to prohibit the publication in any newspaper, periodical, publication, or pamphlet, of any list, or partial list, of numbers of tickets, checks, or coupons, entitled to prizes resulting from the drawing of any lottery, or to publish any account of any person having drawn a prize in any lottery, and to provide a penalty for violating this Act.

Senate Bill No. 685—An Act authorizing the State Board of Examiners to sell old furniture, and all material belonging to the State and not required for public use.

Senate Bill No. 648—An Act to promote silk culture in the penal, reformatory, and charitable institutions of the State of California, and to encourage sericulture throughout the State, and to provide for the expenses thereof.

Senate Bill No. 654—An Act to provide for the extermination of squirrels and gophers.

Senate Bill No. 508—An Act to amend section four hundred of the

Penal Code of California, approved March 19, 1889, in relation to the suppression and prevention of glanders or farcy.

Senate Bill No. 655—An Act to provide for the publication and distribution of a State blue book or roster.

Senate Bill No. 656—An Act for the preservation of the timber lands of California.

Senate Bill No. 683—An Act to cede jurisdiction of the United States over certain lands.

Assembly Bill No. 734—An Act to divide the State into legislative districts, as required by section six, article four, of the Constitution, and to provide for the election of Assemblymen and Senators in such districts.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER.)

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 28, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 354—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Also: Senate Bill No. 688—An Act to authorize the Directors of the Veterans' Home Association to exchange certain lands in the City and County of San Francisco for certain other property belonging to said city and county, or for a lease of said property.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 680—An Act to amend section two thousand one hundred and thirty-seven of the Political Code, in regard to the powers and duties of the Board of Directors of the Insane Asylum located at Stockton have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SPRAGUE, Chairman.

ADJOURNMENT.

The First Reading File being completed, at two o'clock and forty-five minutes P. M. the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, March 2, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Mead moved that further reading of the Journal be dispensed with.

So ordered.

LEAVE OF ABSENCE.

On motion of Senator Ostrom, a leave of absence for the day was granted Senator Goucher.

MOTION.

Senator Campbell of Solano moved that the special orders set for this hour be reset for to-morrow, immediately after the reading of the Journal.

So ordered.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read third time.

Senator Carpenter moved that the bill be referred to a special committee of one, consisting of Senator Crandall, to amend as follows:

Amend by inserting the following on page two, line thirty-six, after the word "otherwise:" "*provided*, that any license taxes collected under a city ordinance shall be collected by the City or Town Marshal and paid into the City or Town Treasury, for use the city or town in which it is collected."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 2, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Assembly Bill No. 68, with instructions to amend, has had the same under consideration, and respectfully report the same back, amended as per your instructions.

CRANDALL, Committee.

Report of committee of one adopted.

Senator De Long moved to take up messages from the Governor.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 2, 1891.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 10, 29, and 77.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 2, 1891.

To the Senate of the State of California:

Having been informed of the death of Hon. George Hearst, Senator from this State to the Congress of the United States, I desire to express to you, as a coördinate branch of the State government, my respect for the dead and my sympathy for the bereaved family. He was a well known pioneer, and prominently identified with the early development of the State, when hardship and toil were required from every one, from which he did not shrink. He afterwards attained affluence and became prominent in all matters

affecting the interests of the public, and by his energy, upright dealing, and great business capacity, became a prominent factor in the commercial and political history of the State. In each and every phase of life, he was the same kind and thoughtful friend. In his capacity as a Senator, he was honest, faithful, and intelligent, and was highly appreciated by his colleagues in the Senate of the United States.

H. H. MARKHAM, Governor.

Senator Heacock moved that a committee of five be appointed to act in conformity with the expressions in the Governor's message, relative to the late United States Senator, George Hearst.

So ordered.

MOTIONS.

The Chair appointed Senators Crandall, Dray, De Long, Ostrom, and Mead.

Senator Dray moved to take up substitute for Assembly Bill No. 50, already read for the third time, for consideration.

So ordered.

Substitute for Assembly Bill No. 50—An Act to amend section five of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

Bill finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.

NOES—None.

Title read and approved.

Senator Voorhies moved to take up Assembly Bill No. 734.

Senator Ostrom moved to amend by making it a special order for to-morrow, immediately after the consideration of the first special order set for to-morrow.

Senator Mead raised the point of order that the Senate should proceed with the consideration of the regular order, as it presents cases of urgency that cannot be put aside.

The Chair ruled the point well taken.

Senator Dray asked unanimous consent to have the Senate now consider Assembly Joint Resolution No. 18.

There being no objection, it was so ordered.

ASSEMBLY JOINT RESOLUTION No. 18.

Relative to the appointment of a horticulturist of this State to the position of Chief of the Department of Horticulture at the World's Columbian Exposition at Chicago.

WHEREAS, California will be prominently represented at the World's Columbian Exposition, to be held in Chicago in eighteen hundred and ninety-three; and whereas, California holds preëminently the leading position in the American field of horticulture: therefore, be it

Resolved by the Assembly of California, the Senate concurring, That Director-General Davis, of the World's Columbian Exposition, be requested to appoint a horticulturist of this State to the position of Chief of the Department of Horticulture of said Exposition.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Dray, Everett, Flint, Fraser, Harp, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—None.

Assembly Bill No. 39—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of the State of California, relative to the place of trial of certain actions, where a county or city is a party and a citizen or corporation, resident of another county, is sued by a county or city.

Bill read third time.

Senator Ostrom moved that Senator Berry be appointed a special committee of one to make the following amendment:

Amend by striking out of section one, line seven, the word "must" and inserting in lieu thereof the word "may."

Motion to refer lost.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Siskiyou, Crandall, Dargie, Denison, Everett, Flint, Fraser, Hamill, Maher, Mahoney, McComas, Mead, Preston, Seawell, Streeter, Voorhies, and Williams (Wm. H.)—21.
NOES—Messrs. Berry, Campbell of Solano, Carpenter, Dray, Harp, Langford, Ostrom, Ragsdale, and Shippee—9.

Title read and approved.

Assembly Bill No. 271 passed on file.

Assembly Bill No. 693—An Act entitled an Act to amend section five hundred and thirty-one of the Political Code.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Maher, Mahoney, McComas, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Williams (Wm. H.)—24.
NOES—None.

Title read and approved, as amended.

Assembly Bill No. 271—An Act to amend section two thousand six hundred and eighty-one of an Act entitled "An Act to establish a Political Code."

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—26.
NOES—None.

Title read and approved.

On motion of Senator Seawell, Assembly Bill No. 132 was made a special order for to-morrow, at four o'clock P. M.

Assembly Bill No. 694—An Act to amend sections three hundred and thirty-two, three hundred and thirty-three, and three hundred and thirty-four of the Political Code.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Campbell of Solano, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Harp, Langford, Maher, Mahoney, McComas, Ragsdale, Seawell, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—21.
NOES—None.

Title read and approved.

PRESENTATION OF PETITION.

By Senator Dray: Relative to Justices of the Peace in Sacramento.

On motion of Senator Ostrom, Assembly Bill No. 734 was made a special order for seven o'clock and forty-five minutes this evening.

FILE OF SPECIAL URGENCY CASES.

Substitute for Senate Bill No. 131—An Act to provide for the erection of additional buildings for the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Substitute adopted, and read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Mahoney, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—23.
NOES—Mr. Berry—1.

Title read and approved.

Senate Bill No. 170—An Act making an appropriation to pay the claims of Charles F. Reed, C. E. Grunsky, and J. J. Crawford, for expenses incurred as members of the Examining Commission on Rivers and Harbors, approved March 19, 1889.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Langford, Mahoney, McComas, Preston, Seawell, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—27.
NOES—Messrs. Berry and Ostrom—2.

Title read and approved.

Senate Bill No. 161—An Act to amend an Act entitled "An Act to limit and fix the rates of fares on street railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878.

Bill read third time.

Senator Seawell moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

On motion of Senator De Long, further proceedings under the call of the Senate were dispensed with.

The roll was called on the final passage of Senate Bill No. 161, which was refused final passage by the following vote:

AYES—Messrs. Britt, Harp, Maher, Mahoney, Mead, Ostrom, Ragsdale, Welch, and Williams (Wm. H.)—9.

NOES—Messrs. Banks, Berry, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Fraser, Hamill, McComas, Shippee, Simpson, Sprague, Streeter, and Voorhies—17.

Senator Hamill gave notice that on to-morrow he would move to reconsider the vote by which Senate Bill No. 161 was refused final passage.

Senate Bill No. 661—An Act relating to the transfer of moneys now in the State Treasury, in what is known and designated as Estate of Deceased Persons Fund, to the General Fund, as a loan.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, and Williams (Wm. H.)—31.

NOES—Messrs. Langford and Ostrom—2.

Title read and approved.

On motion of Senator Berry, Senate Bill No. 234 was made a special order for to-morrow evening, at eight o'clock.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 2, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 62—An Act for the relief of Patrick Creighton.

Also: Senate Bill No. 103—An Act to form Pomona County, classify it, define its boundaries, provide for its organization and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Also: Senate Bill No. 234—An Act to establish a standard of weights and measures.

Also: Senate Bill No. 456—An Act to amend section one thousand and ninety-six of the Political Code of the State of California, in relation to registration of voters.

Also: Senate Bill No. 565—An Act to amend an Act entitled "An Act to reorganize Swamp Land District No. 70, of Sutter County, and to provide for the construction, maintenance, and repairs of levees therein," approved March 27, 1878.

Also: Substitute for Senate Bill No. 597—An Act authorizing persons having claims against the State, or against counties, to prosecute and establish them in the Courts, and providing for the payment of judgment.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 2, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 176—An Act to ascertain and express the will of the people of the State of California upon the subject of election of United States Senators.

Also: Senate Bill No. 23—An Act to amend sections four hundred and four hundred and one of the Penal Code of the State of California, relating to contagious diseases among animals, and to renumber said sections.

Also: Senate Bill No. 24—An Act to amend section four hundred and one of the Penal Code of the State of California, relating to the adulteration of candy, and to renumber said section.

Also: Senate Bill No. 82—An Act to establish a Political Code, approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Also: Senate Bill No. 149—An Act to amend section seven hundred and ninety-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Senate Bill No. 92—An Act to provide penalties for failures to pay tolls, by false returns or otherwise, to any Board of State Harbor Commissioners of the State of California.

Also: Senate Bill No. 464—An Act to amend sections nine hundred and thirty-six and nine hundred and thirty-seven of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Also: Senate Bill No. 7—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, town, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 10, 1887.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Seawell:

Resolved, That committee substitute for Senate Bill No. 132 presents a case of urgency as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, and Williams (Geo. H.)—30.

NOES—None.

WITHDRAWAL AND SUBSTITUTION.

Senator Seawell asked permission to withdraw Senate Bills Nos. 272 and 398 from special urgency file, and substitute therefor committee substitute for Senate Bill No. 132.

Permission granted.

Committee Substitute for Senate Bill No. 132—An Act appropriating the sum of fifty-six thousand dollars for the completion of buildings now being erected for the Mendocino State Asylum for the Insane, and to provide for the expenditure of the same.

Substitute read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Flint, Fraser, Maher, McComas, McGowan, Mead, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Shippee:

Resolved, That Senate Bill No. 150 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be substituted on special urgency file for Senate Bill No. 417, and that it be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Langford, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—34.

NOES—None.

CASES OF URGENCY—(RESUMED).

Senate Bill No. 150—An Act to appropriate money for the completion of the building of the State Normal School at Chico.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Harp, Langford, Maher, McConnas, Mead, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—Messrs. Berry and Ostrom—2.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

Resolved, That George H. Dunlap be and he is hereby allowed the sum of thirty-five dollars, for expressage in removing mail matter from the general Post Office to and from the Capitol, for the twenty-ninth session of the Legislature; and the Controller is hereby authorized and directed to draw his warrant upon the treasury in favor of said George H. Dunlap, and the Treasurer is hereby directed to pay the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

CASES OF URGENCY—(RESUMED).

Senate Bill No. 222—An Act requiring every person, company, or corporation supplying water to any municipality, or the inhabitants thereof, in the State of California, to construct water mains where, and of the size, designated by the governing body of the municipality, and to furnish water where designated, upon demand and payment of rates, as long as the supply is sufficient, and prescribing a penalty for non-compliance.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Harp, Langford, Maher, Mahoney, Mead, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—None.

Title read and approved.

Senate Bill No. 435—An Act to amend section thirty-five of an Act entitled "An Act to repeal the Act passed March 26, 1851, entitled 'An Act to incorporate the city of Sacramento,' and the several Acts amendatory and supplementary thereto, and to incorporate the city and county of Sacramento," approved April 24, 1858.

Bill read second time.

The following committee amendment was submitted:

In line five, section one, of printed bill, strike out the word "one," and insert in place thereof the word "eight."

Adopted.

On the question, "Shall the bill be engrossed as amended, and placed on file for third reading?" the Senate refused to order it engrossed and to third reading.

Senator Sprague gave notice that he would, on to-morrow, move to reconsider the vote by which the Senate refused to order Senate Bill No. 435 to engrossment and to third reading.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 2, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 684—An Act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve—respectfully report the same back, and recommend that it do pass.

SPRAGUE, Chairman.

ON FINANCE, AND PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, March 2, 1891.

MR. PRESIDENT: Your Joint Committee on Finance, and Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 44—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor; and Assembly Bill No. 280—An Act making an appropriation for the Reform School for Juvenile Offenders at Whittier—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

DE LONG,
BANKS.

SUB-COMMITTEE ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, February 28, 1891.

MR. PRESIDENT: Your sub-committee of the Committee on Commerce and Navigation, consisting of Senators W. H. Williams and McGowan, beg leave to report that they visited the city of San Francisco on February twenty-third for the purpose of viewing the State property and the work now in course of construction under the control of the Board of State Harbor Commissioners, and we find that said Board is now about to engage under contract in the construction of a seawall which will extend westerly to Van Ness Avenue, a distance of about three thousand feet, which it is estimated will cost about three hundred thousand dollars. The whole cost of construction will be paid out of funds collected by the Board, which will be ample for the purpose. The immense benefits to commerce, as well as the increased revenues to the State, can be seen at a glance.

In addition, however, to these advantages, the construction of the proposed seawall will result in the reclamation and substantial improvement of a number of lots now owned by the State, upon which can be constructed buildings for various uses, the rent of which will bring a handsome income to the State. Upon a careful estimate, it is stated that the value of said land will, when reclaimed, be about one million five hundred thousand dollars. The contract for the construction of a part of such seawall will be let about the fifth of next March. We deem the extension of the seawall a most important work to the State, and one that should be vigorously and promptly pushed to completion.

Another proposed improvement, to which we desire to call your attention, is the new alignment of East Street. The contemplated change in the waterfront of said city is embodied in a bill introduced by Senator Simpson. Under the plan proposed, the area of land devoted to general traffic and commercial purposes will be largely increased and business generally facilitated. In the bill it is wisely provided, that to promote a correct alignment, the Board may sell and also condemn land. This provision will thus allow the Board to offset the cost of condemnation with the proceeds of sales.

It is all important that the Board should have control and jurisdiction of the streets fronting on said bay of San Francisco, as such condition will permit the Board to make many needed improvements; as it is now, some of the streets and sidewalks thereof are used as lumber yards by individuals, and those parts of the streets mentioned which are under the control of the city are in poor condition, while the parts controlled by the Board are in excellent condition. In fact it is a very easy matter to see by an inspection of those streets where the city lets go and the Board takes up control.

In conclusion, we desire to say that the present Board, consisting of Messrs. English, Brown, and Alexander, is untiring in its efforts to protect and promote the State's interest, and that many of the improvements now added to such property are due to the efficiency and ability of those officers. We also desire to add our testimony to conceded care and efficiency of Chief Engineer Manson.

Respectfully submitted.

W. H. WILLIAMS,
FRANK McGOWAN,
Committee.

ON PUBLIC ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 2, 1891.

MR. PRESIDENT: Your Committee on Public Roads and Highways, to whom was referred Senate Bills Nos. 611 and 534—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bills Nos. 668, 559, 510, 425, 422, 425, 421, 407, and 397—have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

BAILEY, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Mahoney:

Resolved, That the Secretary of the Senate be and he is authorized and empowered to appoint a competent person as an Assistant Secretary, to serve at the desk, at the same per diem as allowed the Secretary and Assistants, to be paid out of the fund for contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Also:

Resolved, That the Controller be and he is hereby directed to draw his warrants in favor of the following names for the amounts set opposite to them, for mileage on account of the visit of the sub-Committee on Commerce and Navigation to the bay of San Francisco:

Frank McGowan, one hundred and eighty miles	$18 00
W. H. Williams, one hundred and eighty miles	18 00

The same to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

RECESS.

On motion of Senator Byrnes, the Senate took a recess at five o'clock and twenty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled. Hon. Thos. Fraser, President pro tem. of the Senate, in the chair. Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

MOTION.

At seven o'clock and forty-five minutes P. M., Senator Voorhies moved to suspend Rule 35, in order to take up for consideration the special order set for this hour, viz.: Assembly Bill No. 734.

The roll was called, and it was so ordered by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Maher, Mahoney, McComas, McGowan, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—30.

NOES—Messrs. Berry, Britt, Hamill, Harp, Ostrom, and Welch—6.

SPECIAL ORDER.

Assembly Bill No. 734—An Act to divide the State into legislative districts, as required by section six, article four, of the Constitution, and to provide for the election of Assemblymen and Senators in such districts.

On second reading, the following amendment was submitted by Senator Campbell of Siskiyou:

Amend by striking out of section three, line three, page ten, the words "Modoc and Lassen."

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Berry, Britt, Campbell of Siskiyou, Harp, Mahoney, Ostrom, Welch, and Williams (Wm. H.)—8.

NOES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Maher, McGowan, Shippee, Simpson, Voorhies, and Williams (Geo. H.)—18.

The following amendments were submitted, and refused adoption in their order:

By Senator Campbell of Siskiyou:

Amend by inserting the following: "Modoc and Lassen," after the word "Nevada," in line five, section three, page ten.

By Senator Britt:

Amend section one, line one hundred and eighteen, by striking out the words "Sacramento and Hyde Streets," and inserting in lieu thereof the words "Van Ness Avenue and Sutter Street."

Also, amend line one hundred and nineteen of said section by striking out the words "Hyde to Sutter."

Also, the word "Jones," where it appears on said line, and inserting in lieu thereof the word "Leavenworth," where it appears on said line.

Amend section one, line one hundred and twenty, by striking out the words "to Market," and inserting in lieu thereof the words "to McAllister."

Also, by inserting before the words "Market to Van Ness Avenue" the words "McAllister to."

Also, strike out the words "Sacramento, Sacramento to Hyde," on line one hundred and twenty, section one, and insert in lieu thereof the word "Sutter."

Bill read second time, and on motion of Senator Voorhies, was ordered placed at the head of special file of Assembly Bills.

On motion of Senator Dray, Senate Bills Nos. 304, 315, 311, 320, 321, and Assembly Bill No. 309, were rereferred to Committee on Finance.

PRESENTATION OF PETITIONS.

The following petition was presented by Senator Dargie, signed by citizens of Oakland, and ordered printed in the Journal:

We, the undersigned citizens of Alameda County, do memorialize the Legislature of California to so amend the State Constitution as to grant equal rights in suffrage, irrespective of sex:

R. L. Hill, M.D.
Elliot D. Curtis, M.D.
Alice Burritt, M.D.
Julia F. Button, M.D.
L. J. Kellogg, M.D., Oakland, Cal.
Rev. Chas. W. Wendte, 1202 Harrison Street.
Rev. Geo. H. Merrill, 1070 Twenty-first Street.
A. A. Moore, Oakland, California.
Stephen Nye, Oakland, California.
D. M. Conner, Oakland, California.
F. W. Sawyer, Oakland, California.
F. W. Fry, Oakland, California.
Edward C. Robinson, Oakland, California.
J. K. Peirsol, Oakland, California.
T. H. Smith, Oakland, California.
David Stoddart, Oakland, California.

Rev. James Patton, 815 Twenty-first Street.
Rev. Elbert R. Dille, 1401 Castro Street.
Rev. J. K. McLean, 520 Thirteenth Street.
Rev. E. S. Chapman, 1218 Seventh Avenue.
Rev. Geo. L. McNutt, 404 Sixteenth Street.
Rev. H. B. Heacock, 1319 Eighth Avenue.
Rev. Geo. B. Allen, 1073 Seventh Avenue.
J. H. Wythe, 825 Fourteenth Street.
J. B. Richardson, 861 Broadway, Oakland, California.
Frank J. Krauth, 861 Broadway, Oakland, California.
E. M. Gibson, 861 Broadway, Oakland, California.
B. McFadden, 861 Broadway, Oakland, California.
C. L. Colvin, 854½ Broadway, Oakland, California.
S. F. Daniels, Oakland, California.
Fred. L. Button, Oakland, California.
H. L. Adams, Oakland, California.
John Yule, Oakland, California.
S. P. Hall, Oakland, California.
George W. Lewis, Oakland, California.
H. B. Land, Chairman Prohibition County Committee, of Alameda County.
J. P. McElroy, 574 Charter Street, Oakland.
J. E. McElrath.
Robt. L. McKee, 906 Broadway, Oakland.
M. C. Chapman.
J. F. Havens.
Geo. D. Metcalf, 969 Broadway, Oakland.
J. C. Gilson, Oakland.
J. B. McChesney, Oakland.
Josiah Keep, Mills College.
C. T. H. Palmer, Berkeley.
Mrs. S. Gertrude Smyth, President Central Nationalist Club, Oakland, California.
F. W. Sawyer, Vice-President Central National Club, Oakland, California.
Eugene Hough, Secretary Nationalist Club.
Mrs. Emma Kelly, Treasurer of Central Nationalist Club.
Harriet F. Stevens, Corresponding Secretary Central Nationalist Club.
Ernest F. Himes, Mrs. J. W. Dutton, Mrs. K. Kenken, President pro tem., A. Hoenisch, Recording Secretary pro tem., officers Oakland Nationalist Club. The above represents two hundred names.
M. G. C. Edholm, Secretary Prohibition County Committee of Alameda County.

The above voices the sentiments of four hundred and fifty voters, and two hundred and fifty-four more names.

HIGH SCHOOL TEACHERS.

K. B. Fisher, 926 Myrtle Street, Oakland.
M. E. Conners, 1115 Jackson Street, Oakland.
K. M. Wertz, 1413 Brush Street, Oakland.
G. W. Littlejohn, Berkeley.
S. P. Meads, 554 Jones Street, Oakland.
E. F. Burrill, 566 Hobart Street, Oakland.
L. R. Griffin.
S. A. Chambers, 574 Thirteenth Street, Oakland.
Margaret Wythe, 825 Fourteenth Street, Oakland.
E. B. Lee, 527 Frederick Street, Oakland.
I. Hardy, Oakland.
E. H. Hilton, Oakland.

Petitions from residents of other counties praying for legislation permitting "equal rights in suffrage, irrespective of sex," were presented, as follows:

By Senator Harp: From Stanislaus and Tuolumne Counties, containing three hundred and sixty-three names.

By Senator Berry: From Tulare County, containing one hundred and twenty-four names.

By Senator Langford: From San Joaquin County, containing two hundred and eighty-six names.

By Senator Flint: From Monterey County, containing one hundred and forty-three names.

By Senator Shippee: From Butte County, containing six hundred and ninety-eight names.

By Senator Heacock: From San Luis Obispo, Ventura, and Santa Barbara Counties, containing nine hundred and ninety-eight names.

By Senator Strecter: From San Diego and San Bernardino Counties, containing one thousand three hundred and ninety names.

By Senator McComas: From citizens of Pomona, Los Angeles County, containing four hundred and eighty-three names.

By Senator Sprague: From Yolo and Napa Counties, containing three hundred and eighty-five names.

By Senator Bailey: From Santa Clara County, containing three thousand five hundred names.

By Senator De Long: From Marin and Contra Costa Counties, containing fifty-five names.

By Senator McComas: From Riverside, containing one thousand six hundred and twenty-four names.

By Senator McGowan: From Humboldt, Mendocino, and Lake Counties, containing four hundred and thirty-seven names.

By Senator Ragsdale: From Sonoma County, containing fifty-five names.

By Senator G. J. Campbell: From Solano County, containing two hundred and seventeen names.

In connection with the presentation of these petitions, Senator Dargie informed the Senate that between fifteen thousand and twenty thousand names have been signed in this State to similar petitions as now presented; that the task of obtaining so many names was undertaken and conducted by the Women's Christian Temperance Union of California, under the able direction of its State President, Mrs. Sturtevant Peet.

CASES OF URGENCY—(RESUMED).

Senate Bill No. 124—An Act to amend section one hundred and three of the Code of Civil Procedure, relating to Justices' Courts.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Fraser, Harp, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Shippee, Sprague, Streeter, Voorhies, Williams (Wm. H.) and Williams (Geo. H.)—24.

NOES—None.

Title read and approved.

Senator McGowan moved to consider Senate Bill No. 254.

So ordered.

Senate Bill No. 254—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

On second reading, the following amendment was submitted by Senator McGowan:

Amend by striking out of section one, line two, the word "eleven," and inserting the following: "two."

Adopted.

On motion of Senator McGowan, the further consideration was made a special order for to-morrow evening, at eight o'clock.

Bill ordered engrossed and printed.

Senator Maher moved that Senate Bill No. 395 be placed on special file.

So ordered.

Senator Mahoney moved that Senate Bill No. 234 be made a special order for seven o'clock and thirty minutes P. M. to-morrow.

Senate Bill No. 479—An Act to provide for the establishment of High Schools in the State of California.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Fraser, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—None.

Title read and approved.

Senate Bill No. 516—An Act to enable the Coulterville and Yosemite Turnpike Company, a corporation, to sue the State of California for the

loss and damage suffered and sustained by said corporation by the construction of a road by the Yosemite Turnpike Company, under and by virtue of an Act of the Legislature of the State of California entitled "An Act granting the right of way to the Yosemite Turnpike Road Company over the Yosemite Grant," approved February 17, 1874, and for the relief of the said Coulterville and Yosemite Turnpike Company.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Hamill, Maher, McGowan, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—Mr. Ostrom—1.

Title read and approved.

Senate Bill No. 502—An Act to create the office of Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco.

Bill read second and third times.

Senator W. H. Williams moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Maher, McComas, McGowan, Ostrom, Preston, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

On motion of Senator De Long, further proceedings under the call of the Senate were dispensed with.

On the final passage of the bill the roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Banks, Britt, Carpenter, Dargie, Denison, Everett, Maher, Mahoney, McGowan, Shippee, Sprague, Streeter, Welch, and Williams (Geo. H.)—14.

NOES—Messrs. Berry, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Flint, Fraser, Harp, Ostrom, Preston, and Williams (Wm. H.)—11.

NOTICE OF RECONSIDERATION.

Senator De Long gave notice, that on to-morrow, he would move to reconsider the vote whereby Senate Bill No. 502 was refused final passage.

Senate Bill No. 554—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto certain new and additional sections, to provide the mode of carrying into effect certain provisions of said Act, relative to changing grades.

Bill read third time.

Senator Maher moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Banks, Berry, Britt, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Harp, Maher, Mahoney, McGowan, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

On motion of Senator Maher, further proceedings under the call of the Senate were dispensed with.

Roll called, and the bill finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Everett, Flint, Fraser, Hamill, Harp, Maher, Mahoney, McGowan, Preston, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—None.

Title read and approved.

MOTION.

Senator De Long moved to take up Assembly messages.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 2, 1891.

MR. PRESIDENT: Your Committee on Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 150—An Act to appropriate money for the completion of the building of the State Normal School at Chico.

Also: Senate Bill No. 132—An Act appropriating the sum of one hundred and eighty-four thousand nine hundred dollars for the erection of additional buildings for the Mendocino State Asylum for the Insane, to complete buildings now being erected, to appropriate money therefor, and to provide for the expenditure of the same.

Also: Senate Bill No. 222—An Act requiring every person, company, or corporation supplying water to any municipality, or the inhabitants thereof, in the State of California, to construct water mains where, and of the size, designated by the governing body of the municipality, and to furnish water where designated, upon demand and payment of rates, as long as the supply is sufficient, and prescribing a penalty for non-compliance.

ON JUDICIARY—(OUT OF ORDER).

SENATE CHAMBER, SACRAMENTO, March 2, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 686—An Act to legalize conveyances made to or by homestead associations and homestead corporations, after the expiration of the period for which such associations and corporations were formed, and to give surviving Directors power to settle the affairs of such corporations—respectfully report the same back, and recommend that it do pass.

SPRAGUE, Chairman.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY, CHAMBER, SACRAMENTO, March 2, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 561—An Act making an appropriation for the support of the government of the State of California for the forty-third and forty-fourth fiscal years.

Also: Concurred in Senate amendments to Assembly Bill No. 34, and refused to concur in Senate amendments to Assembly Bill No. 129.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted the following report of Committee on Conference, concerning Senate Bill No. 74:

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1891.

MR. SPEAKER: Your Committee on Conference, concerning Senate Bill No. 74—An Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire—report that we have met a like committee of the Senate, consisting of Senators Dray, Crandall, and Ostrom, and we report that the committee agreed upon and recommend the following: Add to section one of said Act the following words:

"except the State Printing Office and its contents," and recommend its passage as amended.

DIBBLE,
SHANAHAN,
HOCKING,
Conference Committee.

Also: Passed Assembly Bill No. 125—An Act to amend section six hundred and thirty-three of the Penal Code, relating to the taking of trout.

Also: Assembly Bill No. 87—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, and three thousand seven hundred and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Also: Substitute for Assembly Bill No. 28—An Act to amend an Act entitled "An Act to establish a Political Code of the State of California."

Also: Substitute for Assembly Bills Nos. 12, 32, 65, 69, 77, and 242—An Act to amend section one, to add one new section, to be numbered eight and one half, of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same," approved April 15, 1880, amended March 6, 1883, March 9, 1885, amended March 14, 1885, amended March 9, 1887, and amended March 9, 1889, relating to the formation of new districts, and the residence of Directors.

Also: Assembly Bill No. 692—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part second of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relating to a system of street improvement bonds.

Also: Assembly Bill No. 441—An Act to amend sections eight, eighteen, twenty-one, and twenty-three of an Act entitled "An Act to incorporate the town of Red Bluff, Tehama County, California," approved March, 1876, and amended March, 1878.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 679—An Act to amend section six hundred and fifty-four of the Political Code, relative to the Chairman of the Board of Examiners, and Secretary, and salary.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 116—An Act to amend section five hundred and thirty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the office of Superintendent of State Printing, and providing for the election of such officer.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

The following orders, in relation to bills mentioned in messages, were made:

Assembly Bill No. 561 referred to Committee on Finance.

Assembly Bill No. 129 referred to Committee on Conference, consisting of Senators Banks, Streeter, and W. H. Williams.

Report of Assembly Conference Committee concerning Senate Bill No. 74 was adopted, and bill ordered enrolled.

Assembly Bills Nos. 125, 87, 692, 441, and 679, and Substitute for Assembly Bills Nos. 12, 32, 65, 69, 77, and 242, and Substitute for Assembly Bill No. 28, ordered on special file for Assembly Bills.

Senate Bill No. 116 ordered to enrollment.

MOTION.

On motion of Senator Preston, Substitute for Senate Bills Nos. 352 and 499 was made a special order for Wednesday next, at four o'clock and fifteen minutes P. M.

ADJOURNMENT.

At nine o'clock and fifty minutes P. M., on motion of Senator Hamill, the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, March 3, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Heacock moved that further reading of the Journal be dispensed with.

So ordered.

APPROVAL OF JOURNALS.

On motion of Senator Heacock, the Journals of February twenty-fifth, twenty-sixth, twenty-seventh, and twenty-eighth were approved.

MOTIONS.

Senator Streeter moved that the consideration of Assembly Bill No. 353, made a special order for to-day, be reset for to-morrow, immediately after reading of the Journal.

So ordered.

Senator Campbell of Solano moved to pass Senate Bill No. 678, set for special order at this hour, until after the consideration of special file of urgency cases.

So ordered.

Senator G. H. Williams asked unanimous consent to withdraw Senate

Bill No. 144 from the special file of urgency cases, and substitute Senate Bill No. 579 therefor.

Granted.

RESOLUTION.

By Senator G. H. Williams:

Resolved, That Senate Bill No. 579 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—None.

SPECIAL FILE OF URGENCY CASES.

Senate Bill No. 579—An Act for the relief of Emma Kelly, widow of G. H. Kelly, and appropriating ten thousand dollars therefor.

Bill read second time.

The following committee amendment was submitted:

Amend section one, line one, by striking out the words "ten thousand," and inserting in lieu thereof "seven thousand five hundred."

Adopted.

By Senator Heacock:

Amend by adding at end of section one, "payable out of San Francisco Harbor Improvement Fund."

Adopted.

Bill ordered engrossed and printed, as amended, and on file for third reading.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 741—An Act for the relief of Colonel Jonathan D Stevenson.

The bill having been read the third time on a previous day, the roll was called on its final passage, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Brynes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Everett, Flint, Fraser, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ragsdale, Simpson, Streeter, Voorhies, Williams (W. H.), and Williams (G. H.)—29.
NOES—Messrs. Crandall, Goucher, and Heacock—3.

Senator McGowan moved to amend the title by adding the following:

And to appropriate the sum of two thousand six hundred and twenty-five dollars therefor.

Adopted.

Title, as amended, read and approved.

Senator Maher moved that the bill be immediately transmitted to the Assembly.

So ordered.

Senate Bill No. 624—An Act appropriating money for the erection of and maintenance and support of the Sacramento Foundling Home.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Dargie, De Long, Denison, Dray, Everett, Harp, Heacock, Langford, Maher, McComas, Mead, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—Messrs. Bailey, Campbell of Solano, Carpenter, Crandall, Fraser, Hamill, Mahoney, and Voorhies—8.

Title read and approved.

RESOLUTION.

By Senator Dray:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to pay the following bills:

Union Ice Company, for ice furnished	$27 50
John P. Hughes, for carpenter work done	25 80
C. H. Rave, locksmith	8 00

The same to be paid out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrant for the same.

Resolution referred to Committee on Attachés, Contingent Expenses, and Mileage.

MOTIONS.

Senator De Long moved to reconsider the vote by which Senate Bill No. 502 was refused final passage on yesterday.

The roll was called and the motion carried by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Hamill, Maher, Mahoney, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—Messrs. Berry, Campbell of Solano, Crandall, Heacock, Langford, Mead, Ostrom, and Seawell—8.

Senate Bill No. 502—An Act to create the office of Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco.

Senator De Long moved that it be made a special order for to-morrow immediately after the first special order set for to-morrow after the reading of the Journal.

So ordered.

Senator Crandall moved that the special order set for eleven o'clock A. M. to-day be postponed until the same hour to-morrow.

So ordered.

Senator McComas moved that Senate Bill No. 103, made a special order for this hour, be made a special order for to-morrow, at eleven o'clock A. M.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Solano, Crandall, Everett, Hamill, Harp, McComas, Mead, Ragsdale, Welch, and Williams (Wm. H.)—14.

NOES—Messrs. Berry, Broderick, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Flint, Fraser, Heacock, Langford, Ostrom, Simpson, Sprague, Streeter, and Voorhies—17.

SPECIAL ORDER.

Senate Bill No. 678—An Act to establish a uniform system of county and township governments.

Bill read first time.

Senate Bill No. 265—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

Bill read second time, and ordered engrossed.

Senator Ostrom moved that the bill be placed on special file.

So ordered.

Senate Bill No. 103—An Act to form Pomona County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Bill read third time, and refused final passage by the following vote:

AYES—Messrs. Banks, Britt, Byrnes, Everett, Hamill, Harp, McGowan, Welch, and Williams (Wm. H.)—9.

NOES—Messrs. Berry, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Flint, Fraser, Goucher, Langford, Maher, Mahoney, McComas, Ostrom, Preston, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—21.

NOTICE OF RECONSIDERATION.

Senator McComas gave notice that on to-morrow he would move to reconsider the vote by which Senate Bill No. 103 was refused final passage.

SPECIAL FILE.

Senate Bill No. 44—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Bill read second time, ordered engrossed and on file for third reading.

President pro tem. Fraser in the chair.

Senate Bill No. 530—An Act to provide for payment for private property heretofore taken for public use.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Langford, Maher, McComas, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.

NOES—None.

Title read and approved.

On motion of Senator Banks, the bill was ordered immediately transmitted to the Assembly.

Senate Bill No. 274 passed temporarily on file.

On motion of Senator Preston, all the Senate Constitutional Amendments appearing on file were temporarily passed.

Hon. J. B. Reddick, President of the Senate, in the chair.

On motion of Senator Heacock, Senate Bill No. 643 was passed on file.

Senate Bill No. 618—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to the time of settlement of County Treasurers with the State Controller.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 619—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, in relation to the duties of County Auditors in making settlement with the State Controller.

Bill read second time, ordered engrossed and on file for third reading.

Senator Goucher moved that Senate Bill No. 500 be immediately transmitted to the Assembly.

So ordered.

Committee Substitute for Senate Bill No. 1—An Act appropriating the sum of ninety thousand dollars for the erection of an additional building for the use of the State Insane Asylum at Agnews.

Committee substitute adopted, and read first time.

Senate Bill No. 33—An Act to provide buildings and improvements at the Deaf and Dumb and Blind Asylum, and making an appropriation for the same.

Bill read first time.

Committee Substitute for Senate Bill No. 600—An Act making an appropriation for additional improvements for the Southern California State Hospital for the Insane.

Committee substitute adopted, and read first time.

Substitute for Senate Bill No. 340—An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, and six hundred and forty-seven of title sixteen, of part four, division first, of the Civil Code, and to add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations.

Committee substitute adopted, and read first time.

Senate Bill No. 371—An Act to provide for the erection and furnishing of a Superintendent's residence, for the purchase of laundry machinery, for reflooring the female asylum building, and for the permanent improvement of the walks and driveways on the grounds of the State Asylum for the Insane at Stockton, and to appropriate money therefor.

Bill read second time, ordered engrossed and on file for third reading.

Committee Substitute for Senate Bill No. 290—An Act to provide for the erection of additional buildings for the use of the State Normal School at San José, California, and making an appropriation therefor.

On motion of Senator Crandall, committee substitute adopted, read first and second times, and ordered engrossed and on file for third reading.

RESOLUTION—(OUT OF ORDER).

By Senator Heacock:

Resolved, That the Secretary of the Senate be and he is hereby authorized to appoint a temporary Assistant Secretary, who shall act as such until Mr. Boatman recovers from his sickness so as to be able to resume his duties as Assistant Secretary, and that such temporary Assistant Secretary shall receive the same pay as the Secretary, payable out of the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

Ayes—Messrs. Bailey, Banks, Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Fraser, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—26.

Noes—None.

SENATE CONSTITUTIONAL AMENDMENT No. 22.

To propose to the people of the State an amendment to the Constitution of the State, relative to the exemption of fruit trees and vines under five years of age from taxation.

The Legislature of the State of California, at its session commencing on the fifth day of January, eighteen hundred and ninety-one, two thirds of all members elected to each of the two Houses of the said Legislature voting in favor thereof, hereby propose that section one of article thirteen of the Constitution of the State of California be amended to read as follows:

SECTION 1. All property in this State not exempt under the laws of the United States shall be taxed in proportion to its value, to be ascertained as provided by law. The word property, as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things real, personal, and mixed, capable of private ownership: *provided*, that fruit trees and vines under five years of age, growing crops, property used exclusively for public schools, and such as may belong to the United States, this State, or to any county or municipal corporation within this State, shall be exempt from taxation. The Legislature may provide, except in case of credits secured by mortgage or trust deed, for a deduction from credits of debts due to bona fide residents of this State.

Read and adopted by the following vote:

Ayes—Messrs. Banks, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Simpson, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.)—31.

Noes—None.

Senator W. H. Williams moved that the Judiciary Committee be instructed to report back Senate Bill No. 672 forthwith.

So ordered.

Senate Bill No. 60—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Bill read third time.

Senator Voorhies moved that Senate Bill No. 60 be referred to Committee on Finance.

RECESS.

At twelve o'clock and thirty minutes the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

The motion of Senator Voorhies to refer Senate Bill No. 60 to the Finance Committee was lost.

Senator Goucher moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Senator Langford asked that Senator Shippee be excused on account of urgent business.

Granted.

Senator Voorhies moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The roll was called, and the bill finally passed by the following vote:

Ayes—Messrs. Banks, Berry, Britt, Broderick, Carpenter, Dargie, De Long, Everett, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—24.

Noes—Messrs. Bailey, Campbell of Solano, Campbell of Siskiyou, Crandall, Denison, Dray, Flint, Heacock, McGowan, Preston, and Simpson—11.

Title read and approved.

Senator Voorhies gave notice that he would, on to-morrow, move to reconsider the vote by which Senate Bill No. 60 was finally passed.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 734—An Act to divide the State into legislative districts, as required by section six, article four of the Constitution, and to provide for the election of Assemblymen and Senators in such districts.

Bill read third time.

Senator Mahoney moved that Senator Wm. H. Williams be appointed a special committee of one to make the following amendments:

Strike out line fifty-one to and inclusive of line fifty-nine, page three, and in lieu thereof insert the following:

30. All that portion of the City and County of San Francisco bounded as follows: Commencing at the intersection of Fifth and Bryant Streets, continuing thence along the center of the following named streets: Bryant to Sixth, Sixth to Market, Market to Taylor, Taylor to Sutter, Sutter to Mason, Mason to Market, Market to Fifth, and Fifth to the place of beginning, shall constitute the Thirtieth Assembly District.

31. All that portion of the City and County of San Francisco bounded as follows: Commencing at the intersection of Sixth and Bryant Streets, continuing thence along the center of the following named streets: Bryant to Seventh, Seventh to Market, Market to McAllister, McAllister to Leavenworth, Leavenworth to Sutter, Sutter to Taylor, Taylor to Market, Market to Sixth, and Sixth to the place of beginning, shall constitute the Thirty-first Assembly District.

Strike out all of lines twenty-six, twenty-seven, and twenty-eight, on page eleven, and in lieu thereof insert the following:

All that portion of the City and County of San Francisco comprised within the boundaries of the Thirtieth and Thirty-first Assembly Districts shall constitute the Eighteenth Senatorial District.

The roll was called, and the motion lost by the following vote:

Ayes—Messrs. Berry, Britt, Campbell of Siskiyou, Goucher, Harp, Mahoney, Mead, Ostrom, Welch, and Williams (Wm. H.)—10.

Noes—Messrs. Bailey, Banks, Broderick, Campbell of Solano, Carpenter, Crandall, Dargie, Dray, Everett, Flint, Fraser, Heacock, Maher, McGowan, Preston, Ragsdale, Simpson, Streeter, Voorhies, and Williams (Geo. H.)—20.

The roll was called, and Assembly Bill No. 734 finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, McComas, McGowan, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—24.

NOES—Messrs. Berry, Britt, Campbell of Siskiyou, Goucher, Hamill, Harp, Mahoney, Mead, Ostrom, Welch, and Williams (Wm. H.)—11.

Title read and approved.

Senator Dray moved that the Senate now proceed to reconsider the vote by which Senate Bill No. 435 was refused engrossment and third reading.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Dargie, De Long, Denison, Flint, Fraser, Goucher, Maher, Mahoney, McComas, McGowan, Preston, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (Wm. H.)—24.

NOES—Messrs. Bailey, Berry, Crandall, Dray, Harp, Heacock, Mead, Ostrom, and Williams (Geo. H.)—9.

Senator Sprague moved that the bill be placed at the foot of the special file.

Senator Dray moved as an amendment that the bill be placed at the head of the special file.

Amendment adopted.

MOTION.

Senator Ostrom moved to take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 282—An Act to provide for the appointment of a Board of Sutter's Fort Trustees, and for the acquisition of the Sutter's Fort property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Also: Senate Bill No. 45—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Also: Senate Bill No. 196—An Act to provide for the improvement of the State Capitol grounds, located at Sacramento, and to appropriate money therefor.

Also: Senate Bill No. 197—An Act to provide for the completion of the ten tiers of granite steps in the State Capitol grounds, located at Sacramento, and to appropriate money therefor.

Also: Senate Bill No. 384—An Act to increase the number of Judges of the Superior Court of the county of Tulare, and to provide for the appointment of an additional Judge.

Also: Assembly Bill No. 471—An Act to ascertain and express the will of the people of the State of California upon the subject of requiring an educational qualification of voters.

Also: Concurred in Senate amendments to Assembly Bills Nos. 39, 271, 693, and 694.

Also: Passed Substitute for Senate Bill No. 331—An Act making an appropriation to pay the deficiency in the appropriation for the salaries of the members and officers of the Board of State Harbor Commissioners for the Bay of San Diego, from the eighteenth day of March, 1889, to the eighteenth day of March, 1891.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, respectfully refused to concur in Senate amendments to Assembly Bill No. 101—

An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale.

Also: Passed Senate Bill No. 585—An Act to amend section two thousand six hundred and seven of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California, to establish a Political Code, approved March 12, 1872, said sections to be known, numbered, and designated as sections two thousand five hundred and seventy-five, two thousand five hundred and seventy-six, two thousand five hundred and seventy-seven, two thousand five hundred and seventy-eight, two thousand five hundred and seventy-nine, two thousand five hundred and eighty, two thousand five hundred and eighty-one, two thousand five hundred and eighty-two, two thousand five hundred and eighty-three, two thousand five hundred and eighty-four, two thousand five hundred and eighty-five, two thousand five hundred and eighty-six, two thousand five hundred and eighty-seven, two thousand five hundred and eighty-eight, two thousand five hundred and eighty-nine, two thousand five hundred and ninety, two thousand five hundred and ninety-one, two thousand five hundred and ninety-two, two thousand five hundred and ninety-three, two thousand five hundred and ninety-four, two thousand five hundred and ninety-five, two thousand five hundred and ninety-six, two thousand five hundred and ninety-seven, two thousand five hundred and ninety-eight, two thousand five hundred and ninety-nine, two thousand six hundred, two thousand six hundred and one, two thousand six hundred and two, two thousand six hundred and three, two thousand six hundred and four, two thousand six hundred and five, two thousand six hundred and six, two thousand six hundred and seven, and two thousand six hundred and eight, all relating to the establishing of a Board of State Harbor Commissioners for the bay of San Diego," approved March 18, 1889, relative to the salaries and pay of the officers and employés of the Harbor Commissioners of the bay of San Diego.

Also: Passed Senate Bill No. 565—An Act to amend an Act entitled "An Act to reorganize Swamp Land District No. 70 of Sutter County, and to provide for the construction, maintenance, and repairs of levees therein," approved March 27, 1878.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Senate Bills Nos. 45, 282, 196, 197, 384, and substitute for Senate Bill No. 331, and Senate Bills Nos. 585 and 565 were ordered to enrollment.

Assembly Bill No. 47 ordered placed on special file of Assembly Bills.

Senator McGowan moved that the Chair appoint a Conference Committee on Assembly Bill No. 101.

So ordered.

The Chair appointed as such committee, Senators McGowan, Bailey, and Berry.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 3, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 672—An Act to prevent frauds upon travelers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SPRAGUE, Chairman.

MOTION.

Senator Hamill moved that the Senate now proceed to reconsider the vote by which Senate Bill No. 161 was refused final passage on yesterday.

President pro tem. Fraser in the chair.

Senator Hamill moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett,

Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Senator Broderick moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The roll was called, and the Senate voted to reconsider Senate Bill No. 161 by the following vote:

AYES—Messrs. Britt, Broderick, Campbell of Solano, De Long, Dray, Flint, Fraser, Goucher, Hamill, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Sprague, Streeter, Voorhies, Welch, and Williams (Wm. H.)—22.

NOES—Messrs. Banks, Berry, Campbell of Siskiyou, Crandall, Denison, Everett, Harp, Heacock, Preston, Simpson, and Williams (Geo. H.)—11.

The roll was called, and the bill again refused final passage by the following vote:

AYES—Messrs. Bailey, Britt, Campbell of Solano, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Sprague, Streeter, Welch, and Williams (Wm. H.)—19.

NOES—Messrs. Banks, Berry, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Heacock, Simpson, Voorhies, and Williams (Geo. H.)—17.

REPORT OF SPECIAL COMMITTEE.

The Special Committee appointed to consider the Governor's message relative to the death of Senator Hearst, submitted the following resolution as their report:

Resolved by the Senate of the State of California, That the announcement of the death of Hon. Geo. Hearst, late United States Senator from California, has been received by this body with profound sorrow and regret.

That in his death the whole country has lost a diligent, faithful, and patriotic public servant, and California the services of a distinguished Senator, whose steadfast devotion and unswerving loyalty to her interests have earned for him a warm place in the hearts of every true Californian.

That the Senate deeply sympathizes with the bereaved family in the loss of a true and affectionate husband, and a kind and indulgent father.

That the President of the Senate appoint a committee of five to attend the funeral, of which committee it is the sense of the Senate that he be a member.

That as an additional mark of respect, when the Senate adjourns to-day, it will do so out of respect to the memory of the deceased.

That the President is directed to transmit to the family of the deceased a copy of these resolutions.

CRANDALL.
DRAY.
DE LONG.
OSTROM.
MEAD.

The resolution was unanimously adopted.

The President then appointed to act with himself on committee to attend the funeral, Senators Bailey, Goucher, Ostrom, Maher, and Mahoney.

Senator Carpenter moved as a further mark of respect to the memory of the late United States Senator George Hearst, that the Senate do now adjourn.

ADJOURNMENT.

Whereupon the Senate, by a unanimous vote, at four o'clock and thirty minutes P. M. stood adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, March 4, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Mead moved that further reading of the Journal be dispensed with.

So ordered.

MOTIONS TO RECONSIDER.

Senator Carpenter moved that the Senate now proceed to reconsider the vote by which Senate Bill No. 103 was finally passed on yesterday.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Messrs. Bailey, Banks, Byrnes, Campbell of Solano, Crandall, Everett, Harp, McGowan, Ragsdale, Welch, and Williams (Wm. H.)—11.

NOES—Messrs. Berry, Carpenter, Dargie, De Long, Denison, Dray, Fraser, Goucher, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Seawell, Simpson, Sprague, Voorhies, and Williams (Geo. H.)—20.

Senator Goucher moved that the Senate now proceed to reconsider the vote by which Senate Bill No. 60 was yesterday finally passed.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Messrs. Bailey, Banks, Campbell of Solano, Crandall, Dray, Everett, Flint, McGowan, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (Wm. H.)—14.

NOES—Messrs. Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Fraser, Goucher, Harp, Langford, Maher, Mahoney, McComas, Mead, Ostrom, and Williams (Geo. H.)—18.

Senator Heacock was paired with Senator Seawell. Senator Heacock would have voted "aye," and Senator Seawell would have voted "no."

MOTION.

On motion of Senator Bailey, the special order set for this hour (Assembly Bill No. 353) was reset for to-morrow, immediately after the reading of the Journal.

PRESENTATION OF PETITION.

By Senator Langford:

STOCKTON, CALIFORNIA, February 21, 1891.

To the honorable the Senate of California:

GENTLEMEN: We, the undersigned committee, duly elected at a mass meeting of the unemployed of Stockton, California, this twenty-first instant, have, pursuant to instructions of said meeting, the honor to memorialize your honorable body, as follows:

There are two bills before you, Senate Bills Nos. 639 and 640, which vitally affect the interests of the unemployed and laborers in general. We therefore respectfully solicit for these bills your earliest and most favorable consideration.

The committee has been instructed to call attention to the fact that owing to the ever increasing productive power of machinery, there is a constant decrease in the demand for manual labor. This fact, in conjunction with the intermittent character of laboring work, yearly leaves an ever increasing number of unemployed men during the winter months of the year.

The men, under the pressure of enforced idleness, are presented with the alternative of either begging, stealing, or starving, when their limited resources become exhausted. It is submitted that your honorable body will recognize that either of these is equally repugnant to an American citizen.

It is moreover submitted that you will recognize the undoubted right of every honest American citizen to the means of existence by honorable labor, and that it is the unquestionable duty of society to provide him therewith, when circumstances beyond his control have deprived him thereof. To obviate this difficulty, your honorable body is respectfully requested to give immediate and favorable consideration of the bill now before you for the creation of a "Special Urgent Necessity Fund."

The passage of these two bills (Nos. 639 and 640) will prove a blessing to thousands of those who are now forced to suffer during the long winter months, and also a blessing and benefit to the taxpayers and State at large, in the enhancing and improvement of real estate, and property in general.

We have the honor to subscribe ourselves,

C. R. LOWERY, Chairman,
A. H. HODES, Secretary,
Committee of the Unemployed of Stockton, Cal.

SPECIAL FILE.

Senate Bill No. 502 was passed on file temporarily.

Substitute for Senate Bills Nos. 352 and 499—An Act to amend sections one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand six hundred and fifty, one thousand six hundred and sixty-three, and one thousand six hundred and ninety-six, and to repeal sections one thousand six hundred and twenty-five, one thousand six hundred and sixty-nine, one thousand six hundred and eighty-two, and four hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Bill read second time, ordered to engrossment and on file for third reading.

Senate Bill No. 579—An Act for the relief of Emma Kelly, widow of G. H. Kelly, and appropriating ten thousand dollars therefor.

Senator Geo. H. Williams moved that Senator Heacock be appointed a special committee of one to make the following amendments:

After the word "money," in line two, insert the words "in the San Francisco Harbor Improvement Fund."

Also: By striking out of section one, line one, the words "ten thousand" and inserting in lieu thereof the words "seven thousand five hundred."

Also: Amend title by striking out the words "ten thousand dollars" and inserting in lieu thereof the words "seven thousand five hundred dollars."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 4, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 579, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

HEACOCK, Committee.

Senator De Long moved that Senate Bill No. 502 be now taken up for reconsideration.

So ordered.

Senate Bill No. 502—An Act to create the office of Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco.

The roll was ordered called.

Pending the announcement of the vote, Senator De Long moved a call of the Senate.

Senator Ostrom raised the point of order that a call of the Senate was out of order during a roll call.

The Chair ruled that the point of order was not well taken.

Senator Ostrom appealed from the decision of the Chair.

On the question, "Shall the decision of the Chair stand as the decision of the Senate?" the roll was called, and the Chair sustained by the following vote:

AYES—Messrs. Bailey, Banks, Byrnes, Carpenter, Dargie, De Long, Denison, Everett, Flint, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—Messrs. Berry, Heacock, Ostrom, and Preston—4.

Senator De Long withdrew his motion for a call of the Senate, and moved that the absentees be called.

So ordered.

Senator Carpenter's name was called, and Senator Heacock raised the point of order that Senator Carpenter's vote could not be recorded, because he was not within the bar of the Senate when the question was put.

The Chair decided the point of order not well taken.

Senator Heacock appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the decision of the Senate?" the roll was called, and the Chair sustained by the following vote:

AYES—Messrs. Banks, Berry, Britt, Brynes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.

NOES—Messrs. Bailey, Heacock, Ostrom, and Preston—4.

On roll call, Senate Bill No. 502 was finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Everett, Flint, Hamill, Harp, Maher, Mahoney, McGowan, Mead, Seawell, Shippee, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—23.

NOES—Messrs. Berry, Crandall, Dray, Fraser, Goucher, Heacock, Langford, McComas, Ostrom, Preston, Ragsdale, and Simpson—12.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 2, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 66—An Act to regulate the sale of olive oil.

Also: Senate Bill No. 7—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, town, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 10, 1887.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 3, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 67—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Also: Senate Bill No. 81—An Act to provide for a State Board of Arbitration for the settlement of differences between employers and employés, to define the duties of said Board, and to appropriate the sum of twenty-five thousand dollars therefor.

Also: Senate Bill No. 83—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Also: Senate Bill No. 145—An Act authorizing and requiring Boards or Commissions having the management and control of police forces to grant the members thereof yearly vacations.

Also: Senate Constitutional Amendment No. 11—A resolution to propose an amendment to sections fifteen (15) and nineteen (19), article five (5), of the Constitution.

Also: Senate Joint Resolution No. 26—Relative to the passage of the Conger Lard Bill by Congress.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 3, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 254—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Also: Senate Bill No. 516—An Act to enable the Coulterville and Yosemite Turnpike Company, a corporation, to sue the State of California for the loss and damage suffered and sustained by said corporation, by the construction of a road by the Yosemite Turnpike Road Company, under and by virtue of an Act of the Legislature of the State of California entitled "An Act granting the right of way to the Yosemite Turnpike Company over the Yosemite Grant," approved February 17, 1874, and for the relief of the said Coulterville and Yosemite Turnpike Company.

Also: Senate Bill No. 579—An Act for the relief of Emma Kelly, widow of G. H. Kelly, and appropriating seven thousand five hundred dollars therefor.

Also: Substitute for Senate Bill No. 624—An Act appropriating money for the erection of and maintenance and support of the Sacramento Foundling Home.

Also: Senate Constitutional Amendment No. 22—To propose to the people of the State an amendment to the Constitution of the State, relative to the exemption of fruit trees and vines under five years of age from taxation.

Also: Senate Bill No. 44—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Also: Substitute for Senate Bill No. 290—An Act to provide for the erection of additional buildings for the use of the State Normal School at San José, California, and making an appropriation therefor.

Also: Senate Bill No. 371—An Act to provide for the erection and furnishing of a Superintendent's residence, for the purchase of laundry machinery, for refllooring the female asylum building, and for the permanent improvement of the walks and driveways on the grounds of the State Asylum for the Insane at Stockton, and to appropriate money therefor.

Also: Senate Bill No. 618—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to the time of settlement of County Treasurers with the State Controller.

Also: Senate Bill No. 619—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, in relation to the duties of County Auditors in making settlement with the State Controller.

RAGSDALE, Chairman.

SPECIAL FILE—(RESUMED).

Senate Bill No. 234—An Act to establish a standard of weights and measures.

Bill read third time.

Senator Mahoney moved a call of the Senate.

Lost.

Senator Campbell of Solano moved to strike out the enacting clause.

Senator De Long moved to make the further consideration of the bill a special order for this afternoon, at three o'clock and thirty minutes.

So ordered.

MOTION.

Senator Voorhies moved that the Senate take up Assembly messages.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended, and passed as amended, Senate Bill No. 388—An Act to divide the State of California into Congressional districts.

Also: Refused passage to Senate Bill No. 69—An Act to amend section one thousand three hundred and twenty-nine of the Penal Code of the State of California, relative to the payment of the necessary expenses of witnesses in criminal cases.

Also: Passed Senate Bill No. 108—An Act to amend the Penal Code of California by adding a new section thereto, to be known as section three hundred and eight, relative to the sale or furnishing of tobacco, or preparations thereof, to persons under sixteen years of age.

Also: Passed Assembly Bill No. 338—An Act to authorize Robert C. Ball to sue the State of California.

Also: Passed Assembly Bill No. 670—An Act to define the boundary and provide for the government of Levee District No. 6, of Sutter County, California.

Also: Passed Assembly Bill No. 232—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen, twenty-two, and twenty-three thereof, relating to irrigation districts.

Also: Passed Assembly Bill No. 411—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the laws for the preservation of fish, for the forty-second fiscal year.

Also: Passed Assembly Bill No. 424—An Act making an appropriation to pay the deficiency in the appropriation for fuel, lights, postage, and incidental expenses of the Board of Railroad Commissioners, for the fortieth fiscal year.

Also: Assembly Bill No. 607—An Act making an appropriation to pay the deficiency in the appropriation for the traveling expenses incurred by the Commissioners appointed to select a site for a State Hospital for Insane, to be located in Southern California.

Also: Assembly Bill No. 523—An Act to appropriate money for the payment of the unpaid salary of the Deputy Reporter of the Decisions of the Supreme Court, for three months of the fortieth fiscal year.

Also: Assembly Bill No. 483—An Act to provide for the deficiency in the appropriation for expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the fortieth fiscal year.

Also: Assembly Bill No. 428—An Act making an appropriation to pay the deficiency in the appropriation for contingent expenses of Commissioner of Bureau of Labor Statistics, for the fortieth, forty-first, and forty-second fiscal years.

Also: Assembly Bill No. 417—An Act making an appropriation to pay the deficiency in the appropriation for improvement of State Capitol grounds, for the forty-second fiscal year.

Also: Assembly Bill No. 709—An Act making an appropriation, to be expended by the State Board of Examiners, to pay deficiencies for support of the government that have occurred prior to the forty-first fiscal year.

Also: Appointed the following Committee of Conference on Assembly Bill No. 101: Messrs. Kellogg, Hail, and Rice.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

CONSIDERATION OF ASSEMBLY MESSAGE.

Senator Voorhies moved that the Senate concur in Assembly amendment to Senate Bill No. 388.

Ayes and noes were demanded by Senators Voorhies, Broderick, and Heacock.

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, Denison, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—Messrs. Berry, Goucher, Hamill, Harp, and Ostrom—5.

Senate Bill No. 108 ordered to enrollment.

Assembly Bills Nos. 338, 670, 232, 411, 424, 607, 523, 483, 428, 417, and 709 were ordered placed on special file of Assembly Bills.

SPECIAL FILE—(RESUMED).

Senate Bill No. 254—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Bill read third time.

PRESENTATION OF PETITIONS.

By Senator Langford, from citizens of San Joaquin County, relative to equal suffrage, containing one thousand seven hundred and forty-three names.

RECESS.

Pending further consideration of Senate Bill No. 254, the Senate took a recess at twelve o'clock and thirty minutes P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

RESOLUTION—(OUT OF ORDER).

By Senator Heacock:

SENATE CONCURRENT RESOLUTION No. 2.

Resolved by the Senate, the Assembly concurring, That his Excellency the Governor be respectfully requested to return to the Senate, Senate Constitutional Amendment No. 11, for the purpose of correcting an error therein.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Crandall, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—Mr. Mead—1.

MOTIONS.

On motion of Senator Heacock, the resolution was ordered immediately transmitted to the Assembly.

Senator Campbell of Solano moved to make Senate Bill No. 678 a special order for Friday morning, immediately after the reading of the Journal.

So ordered.

Senator Goucher moved to make Assembly Bill No. 224 a special order for four o'clock P. M. this day.

So ordered.

CONSIDERATION OF SENATE BILL No. 254—(RESUMED).

Senator McGowan moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Brynes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Hon. Thos. Fraser, President pro tem. of the Senate, in the chair.

Roll called, and Senate Bill No. 254 was finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Everett, Goucher, Hamill, Heacock, Langford, Maher, McComas, McGowan, Shippee, Simpson, Streeter, Voorhies, and Williams (Geo. H.)—23.
NOES—Messrs. Berry, Britt, Crandall, Dray, Flint, Fraser, Harp, Mahoney, Mead, Ostrom, Preston, Ragsdale, Seawell, Welch, and Williams (Wm. H.)—15.

Title read and approved.

Senator Everett gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 254 was this day finally passed.

Senator Dray moved that Senate Bills on Special Order File, from No. 407 to 413 (file numbers) inclusive, be withdrawn from file.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Senator Heacock:

Resolved, That J. A. Galland, temporary Journal Clerk of this Senate, be and he is hereby allowed the sum of sixteen dollars and eighty cents for mileage, payable out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MOTION.

Senator Heacock moved to take up Assembly messages.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate Concurrent Resolution No. 2—Relative to the withdrawal of Senate Constitutional Amendment No. 11 from the Governor.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Senator Heacock moved that a committee of three be appointed by the Chair to confer with the Governor on the subject-matter of Senate Concurrent Resolution No. 2.

So ordered.

The Chair appointed as such committee Senators Heacock, Langford, and Berry.

A REQUEST.

Senator Langford asked unanimous consent to introduce a bill out of order.

The roll was called, and permission granted by the following vote:

AYES—Messrs. Banks, Berry, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Everett, Fraser, Goucher, Harp, Heacock, Langford, Maher, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—None.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Senator Langford: Senate Bill No. 689—An Act to appropriate the sum of six thousand one hundred and forty-four dollars to pay the claim of S. V. Treadway and David Kettleman, assignees of Mary Treadway, Sarah E. Trotter, Richard Trotter, Mary J. Furber, and Eldridge G. Furber, for money illegally paid the State of California.

Referred to Committee on Claims.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, March 4, 1891.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 27—An Act to provide for the improvement of the Reform School at Whittier, California, for Juvenile Offenders, and make an appropriation for the same—have had the same under consideration, and respectfully report the same back, and recommend that the inclosed substitute do pass.

BANKS, Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 4, 1891.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 640—have had the same under consideration, and respectfully report a substitute back, and recommend that it do pass.

MAHER, Chairman.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—None.

Title read and approved.

Senator Seawell moved that Senate Bills Nos. 125 and 127 be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

So ordered.

Assembly Bill No. 244—An Act to amend section six hundred and thirty-seven of the Penal Code of the State of California, relating to the construction and repairing of fish ladders on dams and other obstructions in the running waters of this State.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Flint, Fraser, Goucher, Harp, Maher, McComas, McGowan, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—26.

Title read and approved.

Assembly Bill No. 110 was temporarily passed on file.

Assembly Bill No. 432—An Act to provide for furnishing assistants to every attorney and counselor, City Attorney, and City and County Attorney, and to each law officer, of whatever official name he may be designated, officially conducting the civil litigation of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated as officers of each city, or city and county, and establishing the compensation and prescribing the duties of such assistants.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Brynes, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Fraser, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—21.
NOES—Mr. Goucher—1.

Title read and approved.

Assembly Bill No. 167—An Act creating a lien in favor of owners, or those in charge of stallions, jacks, and bulls used for propagating purposes, and providing for the operation of such lien.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Britt, Broderick, Campbell of Siskiyou, Carpenter, Dargie, Dray, Flint, Fraser, Goucher, Hamill, Harp, Maher, McComas, Mead, Ostrom, Ragsdale, Seawell, Shippee, Simpson, and Williams (Geo. H.)—21.
NOES—Messrs. Bailey, Banks, Byrnes, Crandall, Langford, Preston, and Williams (Wm. H.)—7.

Title read and approved.

Assembly Bill No. 16—An Act to prevent the sale of intoxicating liquors to minor children.

Bill read second time.

The following committee amendment was submited:

Amend by striking out of section one, lines two and four, printed bill, the word "eighteen," and inserting the following: "sixteen."

Lost.

Bill ordered to third reading.

Assembly Bill No. 110—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

Bill read third time.

Senator Dray moved that Senator Crandall be appointed a committee of one to make the following amendments:

Amend line one of title by adding after the words "to amend," the following: "Sections nine and ten of."

Also: On line three, section one, by adding the words: "Section nine."

Also: On line two, section two, the words: "Section ten."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 4, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Assembly Bill No. 110, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

CRANDALL, Committee.

Report of committee adopted.

Bill ordered printed.

Assembly Bill No. 301—An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Bill read first time.

Assembly Bill No. 594—An Act declaring Petaluma River a public way.

Bill read first time.

Assembly Bill No. 219—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure, in relation to judgments and orders in cases of contempt, and providing for appeals therefrom.

Bill read first time.

Assembly Bill No. 696—An Act to amend an Act entitled "An Act to reincorporate the city of San José," approved March 17, 1874.

Bill read first time.

Assembly Bill No. 745—An Act to amend section two of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever;" and to repeal an Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled

"An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Bill read first time.

Assembly Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for the costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year.

Bill read first time.

Assembly Constitunal Amendments Nos. 5 and 11 were passed on file.

Assembly Bill No. 212—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Bill read first time.

Senator McComas asked leave to withdraw Senate Bill No. 623, and to substitute in its place on urgency file Assembly Bill No. 333.

Upon the adoption of the following resolution, permission was granted and substitution ordered.

By Senator McComas:

Resolved, That Assembly Bill No. 333 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times upon one day, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—29.

NOES—None.

CASE OF URGENCY.

Assembly Bill No. 333—An Act to validate proceedings for the reorganization of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and also since the passage of the Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Strecter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—30.

NOES—None.

Title read and approved.

On motion of Senator McComas, the bill was ordered transmitted forthwith to the Assembly.

RESOLUTION—(OUT OF ORDER).

By Senator Seawell:

Resolved, That substitute for Senate Bills Nos. 352 and 499 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.
NOES—None.

CASE OF URGENCY.

Substitute for Senate Bills Nos. 352 and 499—An Act to amend sections one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand six hundred and fifty, one thousand six hundred and sixty-three, and one thousand six hundred and ninety-six, and to repeal sections one thousand six hundred and twenty-five, one thousand six hundred and sixty-nine, one thousand six hundred and eighty-two, and four hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Carpenter, Dargie, Denison, Everett, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, and Williams (Wm. H.)—26.
NOES—None.

Title read and approved.

On motion of Senator Goucher, the special order set for four o'clock P. M. this day was postponed until four o'clock and thirty minutes P. M. this day.

Senate Bill No. 579—An Act for the relief of Emma Kelly, widow of G. H. Kelly, and appropriating seven thousand five hundred dollars therefor.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Everett, Flint, Fraser, Hamill, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—Mr. Goucher—1.

Title read and approved.

Senator G. H. Williams moved that the bill be immediately transmitted to the Assembly.

So ordered.

NOTICE OF RECONSIDERATION.

Senator Streeter gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 68 was finally passed.

RESOLUTION.

By Senator Goucher:

Resolved, That Senate Bill No. 658 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

CALL OF THE SENATE.

Senator Goucher moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Langford, Maher, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Senator Voorhies moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The roll was called, and the resolution lost by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, Denison, Flint, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Seawell, Shippee, Simpson, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—Messrs. Berry, Campbell of Siskiyou, Dray, Mead, Preston, Ragsdale, and Streeter—7.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 4, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 579—An Act for the relief of Emma Kelly, widow of G. H. Kelly, and appropriating seven thousand five hundred dollars therefor.

Also: Senate Bill No. 502—An Act to create the office of Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco.

RAGSDALE, Chairman.

CASES OF URGENCY—(RESUMED).

Senate Bill No. 517—An Act relating to the roofing of public buildings in the State of California.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Dargie, Denison, Dray, Everett, Flint, Fraser, Hamill, Maher, Mahoney, McComas, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (Geo. H.)—27.

NOES—Messrs. Crandall, Goucher, Harp, and McGowan—4.

Title read and approved.

The hour of four o'clock and thirty minutes P. M. having arrived, the Senate proceeded to consider the special order set for this hour, viz.:

Assembly Bill No. 224—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections one, two, three, four, eleven, twelve, thirty-five, and forty-two thereof, relating to irrigation districts.

Bill read third time.

Senator Goucher moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, Ostrom, Preston, Ragsdale, Seawell, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

On motion of Senator Goucher, leave of absence was granted Senator Heacock.

Senator Crandall moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

Roll called on the final passage of the bill, and the bill finally passed by the following vote:

Ayes—Messrs. Banks, Berry, Britt, Byrnes, Carpenter, Crandall, De Long, Denison, Dray, Fraser, Goucher, Harp, Mahoney, McComas, McGowan, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—24.

Noes—Messrs. Broderick, Campbell of Solano, Everett, and Williams (Wm. H.)—4.

Title read and approved.

Senator Goucher moved that the bill be immediately transmitted to the Assembly.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 4, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bill has been correctly enrolled:

Senate Bill No. 282—An Act to provide for the appointment of a Board of Sutter's Fort Trustees, and for the acquisition of the Sutter's Fort property, and providing for an appropriation for the preservation, protection, and improvement of said property.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

SPECIAL ORDER.

Senate Bill No. 234—An Act to establish a standard of weights and measures.

Senator Maher moved that the bill be referred to a committee of one to amend, as follows:

Amend by inserting the following words after the word "appoint," line one, section three: "whenever so requested to do by the Board of Supervisors of any county, or city and county."

Also: Amend by inserting after the word "appoint," line three of section four, the following words, viz.: "when so authorized by the Board of Supervisors of any county, or city and county."

On the adoption of the motion, the ayes and noes were demanded by Senators Langford, Berry, and Carpenter.

The roll was called, and the motion to refer for amendment was carried by the following vote:

Ayes—Messrs. Bailey, Banks, Britt, Broderick, Carpenter, De Long, Denison, Dray, Everett, Maher, Mahoney, Seawell, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—15.

Noes—Messrs. Berry, Campbell of Solano, Campbell of Siskiyou, Crandall, Fraser, Goucher, Harp, Langford, McComas, Ostrom, Simpson, and Welch—12.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 4, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 234, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

MAHER, Chairman.

Report of special committee of one adopted.

Bill ordered to print and engrossment.

RESOLUTION—(OUT OF ORDER).

By Senator Goucher:

Resolved, That Senate Bill No. 658 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Langford, Maher, McComas, McGowan, Mead, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.

NOES—Messrs. Berry, Campbell of Solano, Dray, and Ostrom—4.

CASE OF URGENCY.

Senate Bill No. 658—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as section two thousand one hundred, relating to official publications.

Bill read second time.

Senator Dray moved to amend by striking out of section one, line six, the word "year," and inserting the following: "three months."

Ayes and noes demanded by Senators Maher, Broderick, and Goucher.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Berry, Byrnes, Campbell of Siskiyou, Crandall, De Long, Dray, Flint, Fraser, Hamill, Maher, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, and Welch—19.

NOES—Messrs. Bailey, Britt, Broderick, Campbell of Solano, Carpenter, Dargie, Denison, Goucher, Harp, Mahoney, McComas, and Seawell—12.

Senator Maher moved to amend by striking out all of section two.

Amendment adopted.

Bill ordered printed and engrossed as amended.

Senator Hamill asked leave to withdraw Senate Bill No. 274, and to substitute on file therefor Senate Bill No. 64.

Permission granted, and substitution ordered.

Senator Sprague moved to make Senate Bill No. 435 a special order for Monday next, at four o'clock P. M.

So ordered.

REPORT OF CONFERENCE COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 4, 1891.

MR. PRESIDENT: Your Committee on Conference concerning Assembly Bill No. 101, report that we have met a like Committee of the Assembly, consisting of Assemblymen Kellogg and Hail, and we report that the committee was unable to agree upon the matters submitted.

BERRY,
McGOWAN,
Conference Committee.

Senator McGowan moved that a Committee of Free Conference on Assembly Bill No. 101 be appointed by the President, to meet a like Assembly committee.

So ordered.

The President appointed Senators Bailey, Berry, and McGowan.

MOTION.

Senator De Long moved that Assembly Bill No. 417 be substituted for Senate Bill No. 312 (No. 408 on file); also, that Assembly Bill No. 428 be substituted for Senate Bill No. 323 (No. 413 on file).

Motion carried.

RECESS.

At five o'clock and forty-five minutes P. M. the Senate, on motion of Senator Broderick, took a recess.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thos. Fraser, President pro tem. of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

REPORT OF STANDING COMMITTEE.

ON HARBORS, RIVERS, AND COAST DEFENSES.

SENATE CHAMBER, SACRAMENTO, March 4, 1891.

MR. PRESIDENT: Your Committee on Harbors, Rivers, and Coast Defenses, to whom was referred Senate Bill No. 345—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRODERICK, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Langford:

Resolved, That Senate Bill No. 528 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Welch, and Williams (Geo. H.)—27.

NOES—Messrs. Bailey, Campbell of Solano, Crandall, Goucher, and Harp—5.

CASE OF URGENCY.

Substitute for Senate Bill No. 528—An Act to pay the claim of John Mullan for services rendered in collecting from the United States money due the State of California, on account of Indian war claims.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Langford, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Sprague, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—Messrs. Campbell of Solano and Crandall—2.

Title read and approved.

Senator Langford moved that Senate Bill No. 528 be immediately transmitted to the Assembly.

So ordered.

SPECIAL FILE.

Senate Bill No. 44—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—None.

Title read and approved.

On motion of Senator Dray, Senate Bill No. 44 was ordered immediately transmitted to the Assembly.

Senate Bill No. 64—An Act making an appropriation to pay the claim of D. Jordan.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Maher, Mahoney, McComas, Mead, Preston, Ragsdale, Seawell, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.
NOES—Messrs. Berry, Carpenter, Crandall, Dray, Harp, Langford, McGowan, Ostrom, Shippee, and Simpson—10.

Title read and approved.

On motion of Senator Hamill, Senate Bill No. 64 was ordered immediately transmitted to the Assembly.

On motion of Senator Preston, all the Senate Constitutional Amendments on special file were passed on file.

Senate Bill No. 643—An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, and all Acts amendatory thereof.

Bill read third time.

Senator Crandall moved that further consideration of the bill be postponed until to-morrow evening, at eight o'clock.

Motion lost.

Senator Goucher moved that Senate Bill No. 643, together with the committee substitute for Assembly Bills Nos. 12, 32, 65, 69, 77, and 242, be made a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

Senate Bill No. 618—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to the time of settlement of County Treasurers with the State Controller.

Bill read third time, and finally passed by the following vote:

Ayes—Messrs. Banks, Berry, Britt, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Flint, Fraser, Goucher, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.
Noes—None.

Title read and approved.

Senate Bill No. 619—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, in relation to the duties of County Auditors in making settlement with the State Controller.

Bill read third time, and finally passed by the following vote:

Ayes—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Flint, Fraser, Goucher, Harp, McComas, McGowan, Ostrom, Preston, Ragsdale, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.
Noes—None.

Title read and approved.

Assembly Bill No. 36—An Act to add an additional section to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorneys.

On motion of Senator Voorhies, bill passed on file.

Substitute for Senate Bill No. 1—An Act appropriating the sum of one hundred and seventy-five thousand dollars for the erection of additional buildings for the use of the State Insane Asylum at Agnews, to appropriate funds therefor, and to provide for the expenditure of the same.

Bill read second time, and ordered to engrossment and third reading.

Senator Sprague moved that the Senate do now adjourn.

Lost.

Senate Bill No. 33—An Act to provide buildings and improvements at the Deaf and Dumb and Blind Asylum, and making an appropriation for the same.

Bill read second time, ordered engrossed and on file for third reading.

Substitute for Senate Bill No. 600—An Act making an appropriation for the additional buildings and improvements of the Southern California State Hospital for the Insane.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 371—An Act to provide for the erection and furnishing of a Superintendent's residence, for the purchase of laundry machinery, for refflooring the female asylum building, and for the permanent improvement of the walks and driveways on the grounds of the State Asylum for the Insane at Stockton, and to appropriate money therefor.

Bill read third time, and finally passed by the following vote:

Ayes—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Flint, Fraser, Goucher, Harp, Langford, McComas, Shippee, Simpson, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—22.
Noes—Messrs. Mahoney, Mead, Ostrom, and Streeter—4.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Goucher gave notice that at the next session of the Senate he would move to reconsider the vote by which Senate Bill No. 371 was finally passed.

MOTION.

Senator Sprague moved that the Senate do now adjourn.

Motion lost.

SPECIAL FILE—(RESUMED).

Senate Bill No. 395—An Act to provide for the payment of the claim of A. B. Dibble, for professional services performed by him in the case of the People, respondent, vs. O. P. Dobbins, appellant, number twelve thousand one hundred and six, Department One of the Supreme Court, August 30, 1887.

Bill read second time.

The following committee amendments were submitted:

Amend section one, line one, by striking out the words "one thousand" and inserting in lieu thereof the words "five hundred."

Adopted.

Amend section two, line two, by striking out the words "one thousand" and inserting in lieu thereof the words "five hundred."

Adopted.

Bill ordered to printer and engrossment, as amended.

Senate Bill No. 290—An Act to provide for the erection of additional buildings for the use of the State Normal School at San José, California, and making an appropriation therefor.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Brynes, Campbell of Siskiyou, Crandall, Dargie, De Long, Dray, Flint, Fraser, Langford, Mahoney, McComas, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—Messrs. Goucher, Maher, and Mead—3.

Title read and approved.

Senate Bill No. 265—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

Bill read second time, ordered engrossed and on file for third reading.

MOTION.

Senator Mead moved that the Senate do now adjourn.

Ayes and noes were demanded by Senators Goucher, Mead, and Crandall.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Britt, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Flint, Fraser, Goucher, Langford, McComas, Mead, Ragsdale, Shippee, Simpson, Streeter, and Voorhies—19.

NOES—Messrs. Berry, Broderick, Byrnes, Campbell of Siskiyou, Harp, Mahoney, Ostrom, Preston, Welch, Williams (Wm. H.), and Williams (Geo. H.)—11.

ADJOURNMENT.

At nine o'clock and thirty minutes P. M. the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, March 5, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

SPECIAL ORDER.

Senate Bill No. 643—An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, and of all Acts amendatory thereof as are in conflict herewith.

Senator Heacock moved that Senator Carpenter be appointed a special committee of one to make the following amendment:

Amend by adding at the end of section seven the words "and the agricultural associations heretofore established shall be continued in force, and so far as applicable are made agricultural associations under this Act."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 5, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 643, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

CARPENTER, Committee.

Report of committee adopted.

RESOLUTION—(OUT OF ORDER).

By Senator De Long:

Resolved, That Assembly Bills Nos. 594, 409, 679, 411, 709, 483, 523, 607, 424, 417, and 428, and Senate Bills Nos. 662, 663, 664, and 665 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Langford, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.
NOES—None.

BILLS PLACED ON SPECIAL URGENCY FILE.

Under Rule 8½ of the Standing Rules of the Senate the roll was called, and the members of the Senate named the following bills they wished considered as cases of urgency:

Senator Bailey: Senate Bill No. 625—An Act to authorize the State Board of Education to adopt a uniform series of text-books for use in the common schools throughout the State.

Senator Banks: Assembly Bill No. 541—An Act to amend sections two, three, four, five, seven, nine, thirteen, twenty-four, twenty-six, thirty-four, thirty-five, and thirty-seven of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and the construction of sewers within municipalities," approved March 18, 1885, relative to the mode of assessing and otherwise providing for said work.

Senator Berry: Senate Bill No. 399—An Act to amend section one thousand and ninety-four of "An Act to establish a Political Code," approved March 12, 1872, approved March 20, 1889, relating to elections.

Senator Britt: Senate Bill No. 552—An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California.

Senator Broderick: Senate Bill No. 589—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having fifty thousand inhabitants and over that number, providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors.

Senator Byrnes: Senate Bill No. 621—An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds.

Senator Campbell of Solano: Senate Bill No. 521—An Act to repeal an Act entitled "An Act making appropriations for the purchase of additional jute machinery, and the erection of additional buildings for

the manufacture of jute goods for the State Prison at San Quentin, and other expenses incidental and relating thereto," approved March 24, 1887.

Senator Campbell of Siskiyou: Substitute for Assembly Bill No. 280—An Act making an appropriation for the Reform School for Juvenile Offenders at Whittier.

Senator Carpenter: Committee substitute for Senate Bill No. 27.

Senator Crandall: Senate Bill No. 341—An Act to amend section three of "An Act to regulate contracts on behalf of the State, in relation to erections and buildings," approved March 23, 1876.

Senator Dargie: Senate Bill No. 471—An Act expressing assent of the State of California to the Act of Congress, approved August 30, 1890, entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an Act of Congress, approved July 2, 1862, and to the purposes of the grants of moneys authorized thereby, and to all the provisions thereof."

Senator De Long: Assembly Bill No. 594—An Act declaring Petaluma River a public way.

Senator Denison: Senate Bill No. 177—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand inhabitants and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885, in relation to the duties and salary of clerks of said Police Courts.

Senator Dray: Senate Bill No. 590—An Act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages.

Senator Everett: Senate Bill No. 644—An Act authorizing the Attorney-General to settle and dismiss a certain action entitled the People of the State of California ex rel. John P. Dunn, State Controller, plaintiff, vs. Frank W. Gross et al.

Senator Flint: Substitute for Senate Bill No. 340—An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, and six hundred and forty-seven of title sixteen, of part four, division first, of the Civil Code, and to add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations.

Senator Fraser: Senate Bill No. 55—An Act to appropriate money to pay the claim of Enoch N. Strout, for services rendered as Reclamation Land Commissioner, under "An Act to provide for the funding of the indebtedness of the reclamation and levee districts of this State," approved March 30, 1872.

Senator Goucher: Senate Bill No. 251—An Act entitled an Act to prohibit the publication in any newspaper, periodical, publication, or pamphlet, of any list, or partial list, of numbers of tickets, checks, or coupons entitled to prizes resulting from the drawing of any lottery, or to publish any account of any person having drawn a prize in any lottery, and to provide a penalty for violating this Act.

Senator Hamill: Senate Bill No. 63—An Act to fix the compensation for gas supplied by persons, companies, or corporations, to any city, or incorporated city and county, of more than one hundred thousand (100,000) inhabitants, or to the inhabitants thereof, and to provide a penalty for collecting or attempting to collect illegal gas rates.

Senator Harp: Assembly Bill No. 232—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigating purposes," approved March 7, 1887, by amending sections fifteen, twenty-two, and twenty-three thereof, relating to irrigation districts.

Senator Heacock: Assembly Bill No. 301—An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Senator Langford: Assembly Bill No. 745—An Act to amend section two of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever;" and to repeal an Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Senator Maher: Senate Bill No. 688—An Act to authorize the Directors of the Veterans' Home Association to exchange certain lands in the City and County of San Francisco for certain other property belonging to said city and county, or for a lease of said property.

Senator Mahoney: Senate Bill No. 293—An Act for the relief of John J. Conlin.

Senator McComas: Assembly Bill No. 692—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part second of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relative to a system of street improvement bonds.

Senator McGowan: Senate Bill No. 583—An Act to amend section two of an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property and the creation of trusts for the founding, endowment, erection, and maintenance, within this State, of universities, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885.

Senator Ostrom: Senate Bill No. 126—An Act making an appropria-

tion for the purchase of jute machinery, and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State.

Senator Preston: Senate Bill No. 622—An Act to amend an Act entitled "An Act to regulate and govern the State Prisons of California," approved March 19, 1889.

Senator Ragsdale: Senate Bill No. 409—An Act to appropriate money for the erection of a monument in Golden Gate Park, in the City and County of San Francisco, in memory of the late General M. G. Vallejo.

Senator Seawell: Senate Bill No. 581—An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure of California.

Senator Shippee: Senate Bill No. 638—An Act to amend section seven hundred and thirty-seven of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts of the City and County of San Francisco, and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, and Calaveras.

Senator Simpson: Senate Bill No. 406—An Act to provide for a State Board of Charities and Correction, defining its powers and duties, and appropriating money therefor; also, prescribing the duties of State, county, and municipal officers in connection therewith.

Senator Sprague: Senate Bill No. 684—An Act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve.

Senator Streeter: Senate Bill No. 330—An Act to amend sections one, nine, and seventeen of "An Act to provide for the erection and management of a State Hospital for the Insane, to be located in Southern California," approved March 11, 1889.

Senator Voorhies: Senate Bill No. 652—An Act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now resident of this State, and fixing penalties and punishments for violation of this Act, and providing for deportation of criminals.

Senator Welch: Senate Bill No. 62—An Act for the relief of Patrick Creighton.

Senator W. H. Williams: Senate Bill No. 142—An Act to add a new section to the Penal Code, relative to the prohibition and prevention of the use of all acids or solution of acids in the manufacture of hermetically sealed tin cans used for canning purposes, to be known as section two hundred and forty-six.

Senator Geo. H. Williams: Senate Bill No. 482—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain

rights and obligations arising between such county and certain other counties.

RESOLUTION—(OUT OF ORDER).

By Senator Crandall:

Resolved, That the Clerks of the Committee on Judiciary be and they are hereby instructed to make a list of "Identical Bills" introduced in the Senate and Assembly at this session, with the history of such bills, and report the same to the Secretary of the Senate, who shall cause the same to be printed for the use of members of the Senate.

Adopted.

REPORT OF STANDING COMMITTEE.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 3, 1891.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 687 - have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 682 - have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 646 have had the same under consideration, and respectfully report the same back without recommendation.

CARPENTER, Chairman.

PRESENTATION OF PETITIONS.

Senator Carpenter presented petitions from citizens from the northern part of the State, relative to Assembly Bill No. 471, with two hundred and forty-eight signatures.

MOTION.

Senator Voorhies moved that the roll call on the consideration of the bills placed on the special file of urgency cases commence at the bottom of the file.

So ordered.

MOTION TO RECONSIDER.

Senator Everett moved that the reconsideration of the vote by which Senate Bill No. 254 was finally passed on yesterday be now taken up.

So ordered.

Senator Wm. H. Williams moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Senator Dray moved that further proceedings under the call of the Senate be dispensed with.

Motion lost.

The Sergeant-at-Arms appeared before the bar of the Senate with Senator Britt, who, upon motion of Senator Everett, was excused.

Senator Simpson moved that further proceedings under the call be dispensed with.

The ayes and noes were demanded by Senators Banks, Campbell of Siskiyou, and W. H. Williams.

The roll was called with the following result:

AYES—Messrs. Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Hamill, Heacock, Langford, Maher, McComas, McGowan, Seawell, Welch, and Williams (Geo. H.)—18.

NOES—Messrs. Bailey, Berry, Britt, Crandall, Dray, Everett, Flint, Fraser, Goucher, Harp, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Voorhies, and Williams (Wm. H.)—18.

It being a tie vote, the President exercised his constitutional privilege, and voted in the affirmative.

Whereupon, the motion was declared carried and the call of the Senate was dispensed with.

The roll was called on the motion to reconsider, with the following result:

AYES—Messrs. Berry, Britt, Crandall, Dray, Everett, Flint, Fraser, Hamill, Harp, Maher, Mahoney, Ostrom, Preston, Ragsdale, Seawell, Shippee, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—20.

NOES—Messrs. Bailey, Banks, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Goucher, Heacock, Langford, McComas, McGowan, Simpson, Streeter, and Voorhies—16.

Whereupon, the Chair ruled that the motion to reconsider was lost.

Senator Britt appealed from the decision of the Chair.

The roll was called, and the Chair sustained by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Fraser, Goucher, Heacock, Langford, Maher, McComas, McGowan, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, and Welch—24.

NOES—Messrs. Berry, Britt, Crandall, Everett, Flint, Hamill, Harp, Mahoney, Ostrom, Preston, Seawell, and Williams (Wm. H.)—12.

RESOLUTION—(OUT OF ORDER).

By Senator Carpenter et al.:

Resolved, That the following list: Senate Bill No. 625, Assembly Bill No. 541, Senate Bills Nos. 309, 552, 589, 521, and 551, Assembly Bill No. 280, Committee Substitute for Senate Bill No. 27, Senate Bills Nos. 341 and 471, Assembly Bill No. 594, Senate Bills Nos. 177, 590, and 644, Substitute for Senate Bill No. 340, Senate Bills Nos. 55, 251, and 65, Assembly Bills Nos. 232, 301, and 745, Senate Bills Nos. 688 and 293, Assembly Bill No. 692, Senate Bills Nos. 583, 126, 622, 409, 581, 638, 406, 684, 330, 652, 62, 142, and 482 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (Wm. H.)—34.

NOES—None.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 5, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 113—An Act to authorize the establishment of County High Schools, and provide for their support.

Also: Senate Bill No. 197—An Act to provide for the completion of the ten tiers of granite steps in the State Capitol grounds, located at Sacramento, and to appropriate money therefor.

Also: Senate Bill No. 45—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Also: Senate Bill No. 196—An Act to provide for the improvement of the State Capitol grounds, located at Sacramento, and to appropriate money therefor.

Also: Senate Bill No. 331—An Act making an appropriation to pay the deficiency in the appropriation for the salaries of the members and officers of the Board of State Harbor Commissioners for the Bay of San Diego, from the eighteenth day of March, 1889, to the eighteenth day of March, 1891.

Also: Senate Bill No. 384—An Act to increase the number of Judges of the Superior Court of the county of Tulare, and to provide for the appointment of an additional Judge.

Also: Senate Bill No. 565—An Act to amend an Act entitled "An Act to reorganize Swamp Land District No. 70, of Sutter County, and to provide for the construction, maintenance, and repairs of levees therein," approved March 27, 1878.

Also: Senate Bill No. 116—An Act to amend section five hundred and thirty of an Act to establish a Political Code, approved March 12, 1872, relating to the office of Superintendent of State Printing, and providing for the election of such officer.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

MOTION.

Senator Dargie moved to take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 747—An Act for the relief of Agnes Lynch, widow of Hugh J. Lynch, for injuries received by said Lynch while in the service of the State, which caused his death.

Also: Assembly Bill No. 235—An Act to authorize the Governor and Surveyor-General to sell and convey the State's interest in certain lands.

Also: On March fourth, Substitute for Senate Bill No. 75—An Act to add a new section to the Political Code, to be known and designated as section four thousand three hundred and thirty-four, relating to the duties of officers.

Also: Amended, and passed as amended, Senate Bill No. 227—An Act entitled "An Act to add another section to the Code of Civil Procedure of the State of California," relating to incompetent persons.

Also: Amended, and passed as amended, Senate Bill No. 84—An Act to regulate the practice of pharmacy and sale of poisons in the State of California.

Also: Refused to concur in Senate Joint Resolution No. 24—Relative to the appointment, as the Chief of the Department of Horticulture, Viniculture, and Floriculture of the Columbian Exposition, of some citizen of California.

H. A. MASON, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended, and passed as amended, Senate Bill No. 19—An Act to amend section two thousand nine hundred and fifty-five of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, relating to chattel mortgages.

Also: Passed Assembly Bill No. 541—An Act to amend sections two, three, four, five, seven, nine, thirteen, twenty-four, twenty-six, thirty-five, and thirty-seven of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and the construction of sewers within municipalities," approved March 18, 1885, relative to the mode of assessing and otherwise providing for said work.

Also: Appointed as a Committee on Conference on Assembly Bill No. 129, Messrs. Dibble, Barnett of San Francisco, and Robertson.

Also: Excused its Conference Committee from further action on Assembly Bill No. 101, and Messrs. Bledsoe, Hawley, and Mathews were appointed a Committee of Free Conference on the same bill, to act with a like committee from the Senate.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Assembly Bills Nos. 541, 747, and 235 ordered on special file for Assembly Bills.

Substitute for Senate Bill No. 75 ordered to enrollment.

On motion, the Assembly amendments to Senate Bill No. 227 were concurred in by the Senate.

Senator Maher moved that the Senate concur in Assembly amendments to Senate Bill No. 84.

Motion carried.

Senator Carpenter moved that the Senate refuse to concur in the Assembly amendments to Senate Bill No. 19, and that a Committee of Conference in connection with the same be appointed by the Chair, to meet a like committee from the Assembly.

So ordered.

The Chair appointed Senators Carpenter, Crandall, and Seawell.

On motion of Senator Goucher, Senate Bill No. 371 was made a special order for four o'clock P. M. to-day.

RECESS.

At twelve o'clock and thirty minutes P. M. the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

Senator Streeter moved that the reconsideration of the vote by which Assembly Bill No. 68 was finally passed on yesterday be now taken up.

So ordered.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Ragsdale, Simpson, Streeter, Voorhies, Welch, and Williams (Wm. H.)—28.

NOES—None.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Senator Streeter moved that Senator McGowan be appointed a special committee of one to make the following amendment:

On page three, line fifty-one, after the word streets, add the following: "and the construction and maintenance of telegraph and telephone lines therein."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 5, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Assembly Bill No. 68, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

McGOWAN, Committee.

Report of committee adopted.

Bill ordered printed as amended.

Assembly Bill No. 110 passed temporarily on file.

Assembly Bill No. 16—An Act to prevent the sale of intoxicating liquors to minor children.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, McComas, McGowan, Mead, Ostrom, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—None.

Title read and approved.

President pro tem. Fraser in chair.

Assembly Bill No. 301—An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Simpson, Streeter, Voorhies, Welch, and Williams (Geo. H.)—27.

NOES—Messrs. Campbell of Solano, Harp, and Williams (Wm. H.)—3.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 27, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller be and that he is hereby directed to draw his warrant in favor of Senator M. H. Mead for the sum of fifty-seven dollars and sixty cents, payable out of the Contingent Fund of the Senate, for mileage of the Committee on Prisons and Prison Buildings, for visiting the prison at San Quentin, as per the following items:

Senator J. E. McComas, one hundred and ninety-two miles	$19 20
Senator E. C. Voorhies, one hundred and ninety-two miles	19 20
Senator M. H. Mead, one hundred and ninety-two miles	19 20

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BYRNES, Chairman.

Report of committee adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mead, Ostrom, Ragsdale, Simpson, Streeter, and Williams (Geo. H.)—17.

NOES—Mr. Campbell of Siskiyou—1.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the sum of one thousand dollars is hereby allowed and appropriated out of the Contingent Expense Fund of the Senate in favor of ex-Senator P. J. Murphy, for payment of witness fees, attorney's fees, and other expenses not heretofore provided for in the contested election case of P. J. Murphy against J. H. Mahoney, and the Controller of State is hereby directed to draw his warrant in favor P. J. Murphy, in accordance with the provision hereof.

Amend resolution by adding to the end thereof the following: "and the Treasurer is hereby directed to pay the same; *provided*, that the said P. J. Murphy do file with the Controller of the State, at or before the time of receiving said warrant, his written acquittance of all claims and demands against the State for or on account of attorney and witness fees, mileage, and all other expenses growing out of the said contest of P. J. Murphy vs. J. H. Mahoney."

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended.

BYRNES, Chairman.

Adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mead, Seawell, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—Messrs. Berry, Carpenter, Langford, Ostrom, and Ragsdale—5.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That J. A. Galland, temporary Journal Clerk of this Senate, be and he is hereby allowed the sum of sixteen dollars and eighty cents for mileage, payable out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BYRNES, Chairman.

Resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, McConnas, Mead, Seawell, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—30.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That George H. Dunlap be and he is hereby allowed the sum of thirty-five dollars, for expressage in removing mail matter from the general Post Office to and from the Capitol, for the twenty-ninth session of the Legislature; and the Controller is hereby authorized and directed to draw his warrant upon the treasury in favor of said George H. Dunlap, and the Treasurer is hereby directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BYRNES, Chairman.

Report adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, McConnas, Mead, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—31.

NOES—None.

SPECIAL FILE OF ASSEMBLY BILLS—(RESUMED).

Substitute for Assembly Bill No. 594—An Act to amend section two thousand three hundred and forty-nine of the Political Code of California, relating to public waters and obstructions therein.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Langford, Maher, McComas, McGowan, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H), and Williams (Geo. H.)—29.
NOES—Mr. Bailey—1.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Hamill:

Resolved, That Assembly Bill No. 219 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Carpenter, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—None.

Assembly Bill No. 219—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure, in relation to judgments and orders in cases of contempt, and providing for appeals therefrom.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Flint, Fraser, Hamill, Harp, Langford, Maher, McComas, Ostrom, Seawell, Shippee, Simpson, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.
NOES—Messrs. Goucher and Mahoney—2.

Title read and approved.

Senate Bill No. 239—An Act to amend section three thousand and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Boards of Health.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, De Long, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McGowan, Mead, Ostrom, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, and Williams (Wm. H.)—30.
NOES—None.

Title read and approved.

Assembly Bill No. 696—An Act to amend an Act entitled "An Act to reincorporate the city of San José," approved March 17, 1874.

Bill read second time, ordered engrossed and on file for third reading.

Assembly Bill No. 745—An Act to amend section two of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever;"

and to repeal an Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Seawell, Shippee, Streeter, Voorhies, and Williams (Geo. H.)—28.
NOES—None.

Title read and approved.

Assembly Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for the costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mead, Shippee, Streeter, Voorhies, and Williams (Geo. H.)—24.
NOES—None.

Title read and approved.

Assembly Bill No. 679—An Act to amend section six hundred and fifty-four of the Political Code, relative to the Chairman of the Board of Examiners, and Secretary, and salary.

On motion of Senator Seawell, the special order set for this hour was postponed until four o'clock P. M.

Assembly Bill No. 679 read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—29.
NOES—None.

Title read and approved.

Assembly Bill No. 411—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the laws for the preservation of fish, for the forty-second fiscal year.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Voorhies, and Williams (Geo. H.)—30.
NOES—None.

Title read and approved.

Assembly Bill No. 709—An Act making an appropriation, to be expended by the State Board of Examiners, to pay deficiencies for support of the government that have occurred prior to the forty-first fiscal year.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Voorhies, and Williams (Geo. H.)—31.
NOES—None.

Title read and approved.

Assembly Bill No. 483—An Act to provide for the deficiency in the appropriation for expenses of the Supreme Court, under section forty-seven of the Code of Civil Procedure, for the fortieth fiscal year.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Campbell of Siskiyou, Carpenter, Crandall, De Long, Dray, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Preston, Shippee, Simpson, Streeter, Voorhies, and Williams (Geo. H.)—22.
NOES—None.

Title read and approved.

Assembly Bill No. 523—An Act to appropriate money for the payment of the unpaid salary of the Deputy Reporter of the Decisions of the Supreme Court, for three months of the fortieth fiscal year.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Geo. H.)—30.
NOES—Messrs. Campbell of Solano and Goucher—2.

Title read and approved.

Assembly Bill No. 607—An Act making an appropriation to pay the deficiency in the appropriation for the traveling expenses incurred by the Commissioners appointed to select a site for a State Hospital for Insane, to be located in Southern California.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Preston, Seawell, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—34.
NOES—None.

Title read and approved.

Assembly Bill No. 424—An Act making an appropriation to pay the deficiency in the appropriation for fuel, lights, postage, and incidental expenses of the Board of Railroad Commissioners, for the fortieth fiscal year.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, McComas, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, and Voorhies—28.
NOES—Mr. Goucher—1.

Title read and approved.

MOTION TO RECONSIDER.

Senator Goucher moved to reconsider the vote whereby Senate Bill No. 371 was finally passed yesterday.

The roll was called, and the motion prevailed by the following vote:

AYES—Messrs. Banks, Berry, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Langford, Maher, Mahoney, McGowan, Mead, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

Senate Bill No. 371—An Act to provide for the erection and furnishing of a Superintendent's residence, for the purchase of laundry machinery, for reflooring the female asylum building, and for the permanent improvement of the walks and driveways on the grounds of the State Asylum for the Insane at Stockton, and to appropriate money therefor.

Senator Langford submitted the following amendment to title:

Amend by striking out the present title, and substitute the following therefor:
"An Act to provide for accommodations and improvements at the State Insane Asylum at Stockton, and to appropriate money therefor."

Adopted.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Dray, Everett, Fraser, Harp, Langford, Maher, Mahoney, McComas, Mead, Preston, Seawell, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—24.
NOES—Mr. Goucher—1.

Title read and approved.

RESOLUTION.

By Senator Seawell:

Resolved, That Senate Bills Nos. 398 and 272, set as a special order for four o'clock P. M. this day, present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Preston, Seawell, Shippee, Simpson, Sprague, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—34.
NOES—None.

CASES OF URGENCY.

Senate Bill No. 272—An Act fixing the rate of tare on baled hops.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—32.
NOES—None.

Title read and approved.

Senate Bill No. 398—An Act to prohibit the adulteration of beer and other malt liquors.

Bill read second time.

The following committee amendment was submitted:

Amend by adding at end of section three, the following: "or by imprisonment in the county jail not exceeding three months, or by both such fine and imprisonment."

Adopted.

On motion of Senator Seawell, bill ordered printed and engrossed, and made a special order for to-morrow at four o'clock P. M.

Assembly Bill No. 417—An Act making an appropriation to pay the deficiency in the appropriation for improvement of State Capitol grounds, for the forty-second fiscal year.

Bill read read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Langford, Maher, Mahoney, McComas, Ostrom, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—Mr. Goucher—1.

Title read and approved.

Assembly Bill No. 428—An Act making an appropriation to pay the deficiency in the appropriation for contingent expenses of Commissioner of Bureau of Labor Statistics, for the fortieth, forty-first, and forty-second fiscal years.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Mahoney, McComas, Ostrom, Shippee, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—Mr. Campbell of Solano—1.

Title read and approved.

Senate Bill No. 660—An Act making an appropriation to pay the deficiency in the appropriation for stationery, supplies, fuel, and lights for the Legislature and State officers, for the forty-second fiscal year.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Langford, Mahoney, Mead, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—28.

NOES—None.

Title read and approved.

MOTION.

Senator Heacock moved that the Senate, instead of taking a recess at the close of this afternoon's session, adjourn to meet to-morrow at ten o'clock A. M.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

Senate Chamber, Sacramento, March 5, 1891.

Mr. President: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Substitute for Senate Bill No. [illegible]—An Act appropriating the sum of one hundred and [illegible] for the erection of additional buildings for the use of the State Insane Asylum at Agnews, to appropriate funds therefor, and to provide for the [illegible].

Also, Substitute for Senate Bill No. [illegible]—An Act making an appropriation for the additional buildings and improvements at the Southern California State Hospital for the Insane.

Also, Senate Bill No. [illegible]—An Act to provide buildings and improvements at the Deaf and Dumb and Blind Asylum, and making an appropriation for the same.

Also, Senate Bill No. [illegible]—An Act to establish a standard of weights and measures.

Also, Senate Bill No. [illegible]—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be [illegible] relating to the establishment of mutual [illegible].

Also, Senate Bill No. [illegible]—An Act to provide for the payment of the claim of A. B. [illegible] for professional services rendered by him in the case of the People, respondent, vs. [illegible], appellant, number twelve thousand one hundred and six, Department One of the Supreme Court, August [illegible], 1887.

Also, Substitute for Senate Bills Nos. [illegible] and 490—An Act to amend sections one thousand five hundred and [illegible] [illegible] An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Also, Senate Bill No. [illegible]—An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, and all Acts amendatory thereof.

RAGSDALE, Chairman.

CASES OF URGENCY—(RESUMED).

Senate Bill No. 662—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General, for the forty-second fiscal year.

Bill read second and third times, and finally passed by the following vote:

Ayes—Messrs. [illegible] Williams (Wm. H.), and Williams (Geo. H.)—28.

Noes—None.

Title read and approved.

Senate Bill No. 663—An Act making an appropriation to pay the deficiency in the appropriation for the traveling expenses of the Attorney-General, for the forty-second fiscal year.

Bill read second and third times and finally passed by the following vote:

Ayes—Messrs. [illegible] Campbell of Siskiyou, Carpenter, [illegible] Williams (Wm. H.), and Williams (Geo. H.)—[illegible].

Noes—None.

Title read and approved.

Senate Bill No. 664—An Act making an appropriation to pay the deficiency in the appropriation for expenses that may be incurred by the Attorney-General, for the forty-second fiscal year, in suits in the United States Courts.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Mahoney, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, and Williams (Wm. H.)—27.

NOES—None.

Title read and approved.

Senate Bill No. 665—An Act making an appropriation to pay the deficiency in the appropriation for the Attorney-General, for the forty-second fiscal year, for costs and expenses of suits wherein the State is a party in interest.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Hamill, Heacock, McComas, Ostrom, Preston, Seawell, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—None.

Title read and approved.

Senator Dray, at four o'clock and fifty-five minutes P. M., moved that the Senate adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Crandall, Denison, Dray, Flint, Heacock, McComas, Preston, and Shippee—9.

NOES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Everett, Fraser, Goucher, Hamill, Langford, Maher, Mahoney, McGowan, Mead, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.

Senator Heacock moved that substitute for Senate Bill No. 597, already made a case of urgency, be taken up.

So ordered.

Substitute for Senate Bill No. 597—An Act authorizing persons having claims against the State, or against counties, to prosecute and establish them in the Courts, and providing for the payment of judgments.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Everett, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ragsdale, Seawell, Shippee, Simpson, Sprague, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.

NOES—Messrs. Carpenter, Goucher, Langford, and Ostrom—4.

Title read and approved.

Senate Bill No. 482—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Senator Mead moved to adjourn.

Ayes and noes demanded by Senators Ostrom, Broderick, and Harp.

Roll called, and motion lost by the following vote:

AYES—Messrs. Bailey, Crandall, De Long, Dray, Harp, Heacock, Mead, Ostrom, and Shippee—9.
NOES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, Everett, Fraser, Goucher, Hamill, Langford, Maher, Mahoney, McGowan, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.

Senator Mead objected to the consideration of Senate Bill No. 482, and asked that the roll be called to ascertain if there be ten Senators who object to the consideration of the bill at the present time.

The Chair ordered the roll called.

The roll was called, with the following result:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Dargie, Everett, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Ragsdale, Seawell, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—22.
NOES—Messrs. Bailey, Berry, Crandall, De Long, Denison, Dray, Heacock, Langford, Mead, Ostrom, and Shippee—11.

It appearing that ten Senators objected to the consideration of the bill at the present time, the Chair ruled that the bill could not be considered on this day.

On motion of Senator Ostrom, the consideration of Senate Bill No. 265 was postponed, and made a special order for to-morrow, at eleven o'clock A. M.

On motion of Senator Sprague, Senate Bill No. 482 was made a special order for to-morrow, at eleven o'clock A. M.

ADJOURNMENT.

At five o'clock and forty-five minutes P. M., on motion of Senator Dray, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, March 6, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Goucher moved that further reading of the Journal be dispensed with.

So ordered.

MOTION.

Senator Goucher moved that the Senate take a recess for one hour, and that the special order set for this hour be postponed until the reassembling of the Senate.

So ordered.

RECESS.

At ten o'clock and fifteen minutes A. M. the Senate took a recess.

REASSEMBLED.

At eleven o'clock and fifteen minutes A. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

Senator Ostrom asked consent to introduce a bill out of order.

The roll was called, and permission granted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—34.

NOES—None.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Senator Ostrom: Senate Bill No. 690—An Act to add a new section, to be known as section six hundred and eighty-four of the Political Code, in regard to the appointment of and fixing the salary of an assistant to the Secretary of the State Board of Examiners, and to appropriate money for the payment of his salary.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

On motion of Senator Ostrom, the committee to which Senate Bill No. 690 was referred was instructed to report at four o'clock P. M. to-day.

MOTION.

Senator Sprague moved that the rules be suspended and the Senate now take up the special orders, Assembly Bill No. 353 and Senate Bill No. 482, set for this day immediately after reading of Journal.

The roll was called, and the motion prevailed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—32.

NOES—Mr. Mead—1.

SPECIAL ORDER.

Assembly Bill No. 353—An Act to create the county of San Jacinto, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization and election of officers, and to classify said county.

Bill read second time.

On the question, "Shall the bill be engrossed and ordered on file for third reading?" the ayes and noes were demanded by Senators Dray, Streeter, and McGowan.

The roll was called, and the Senate refused to order the bill to engrossment and to third reading by the following vote:

AYES—Messrs. Bailey, Berry, Campbell of Solano, Carpenter, Crandall, Denison, and Flint—7.

NOES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Dargie, De Long, Dray, Everett, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.

Senate Bill No. 482—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, and location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Bill read second time.

Amendments by Senator G. H. Williams:

Amend by striking out of section one, line two, before the word "part," the word "northwest," and inserting in lieu thereof the word "northern."

Adopted.

Also: By striking out of section two, lines one to fourteen inclusive, and inserting in lieu thereof the following:

SEC. 2. The boundaries of Riverside County shall be as follows, to wit: Beginning at the common corner of the counties of Orange and San Bernardino, on the westerly line of San Diego County, thence southwesterly along the line between Orange and San Diego Counties to the point of intersection of said line with the northerly boundary line of the Santa Margarita Rancho, situated in the county of San Diego; thence southeasterly, following the northerly line of the said Santa Margarita Rancho, to the point of intersection of the said line with the second standard parallel south; thence east along said parallel to the Colorado River, the eastern boundary of the State of California; thence northerly along said river to the northeast corner of the county of San Diego; thence westerly along the northerly line of San Diego County to a point where the line between townships one and two south, of San Bernardino base line, intersects such northerly line of San Diego County; thence west along such township line to the northeast corner of township two south, of range one east, San Bernardino meridian; thence south to the northeast corner of section thirteen, in township two south, of range one east; thence west eighteen miles to the southwest corner.

Adopted.

Also: By striking out of section four all of line eight after the word "qualify;" also, line nine to thirty, inclusive; also, all of line thirty-one before the word "shall," and inserting in lieu thereof the following word: "they."

Adopted.

Also: By striking out of section five all of line nine after the word "Recorder," and all of line ten before the words "one Auditor."

Adopted.

Also: By adding to section ten, line one, after the word "authorized," the following: "when they deem it necessary."

Adopted.

Bill ordered engrossed, as amended and on file for third reading.

MOTIONS.

Senator Sprague moved to make the further consideration of the bill a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

Senator Ostrom moved that the rules be suspended and the Senate now consider all the other special orders set for this morning, and also substitute for Senate Bill No. 1, Senate Bill No. 33, and substitute for Senate Bill No. 600, on special file.

The roll was called, and the motion prevailed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Denison, Everett, Flint, Fraser, Goucher, Harp, Maher, Mahoney, McComas, McGowan, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.

NOES—None.

Senate Bill No. 643—An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, and of all Acts amendatory thereof as are in conflict herewith.

The bill having been read the third time on a previous day, the roll was called, and it finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—34.

NOES—None.

Title read and approved.

Senator Heacock moved the bill be immediately transmitted to the Assembly.

So ordered.

Committee substitute for Assembly Bill No. 12 passed on file.

Senate Bill No. 265—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

Bill read third time, and refused final passage by the following vote:

AYES—Messrs. Bailey, Berry, Carpenter, Crandall, De Long, Denison, Dray, Flint, Heacock, McComas, Preston, Ragsdale, and Shippee—13.

NOES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Dargie, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, Ostrom, Simpson, Sprague, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—20.

Senator Ostrom gave notice that on to-morrow he would move to reconsider the vote by which Senate Bill No. 265 was this day refused final passage.

Senate Bill No. 678—An Act to establish a uniform system of county and township governments.

Senator Goucher moved that the bill be made a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

Senate Bill No. 398 passed on file.

SPECIAL FILE.

Substitute for Senate Bill No. 1—An Act appropriating the sum of ninety thousand dollars for the erection of additional buildings for the use of the State Insane Asylum at Agnews, to appropriate funds therefor, and to provide for the expenditure of the same.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Fraser, Harp, Heacock, Maher, Mahoney, McComas, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—Messrs. Berry, Broderick, Goucher, McGowan, Mead, and Ostrom—6.

Title read and approved.

Senate Bill No. 33—An Act to provide buildings and improvements at the Deaf and Dumb and Blind Asylum, and making an appropriation for the same.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.

NOES—Messrs. Berry, Mead, and Ostrom—3.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Hamill gave notice that on to-morrow he would move to reconsider the vote by which Senate Bill No. 33 was finally passed.

SPECIAL FILE—(RESUMED).

Substitute for Senate Bill No. 600—An Act making an appropriation for the additional buildings and improvements of the Southern California State Hospital for the Insane.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Harp, Maher, McComas, McGowan, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—Messrs. Berry, Goucher, Hamill, Mead, and Ostrom—5.

Title read and approved.

RECESS.

At twelve o'clock and thirty minutes P. M. the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

Senator Byrnes asked unanimous consent to introduce a bill out of order.

The roll was called, and permission granted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Maher, Mahoney, McComas, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.

NOES—None.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Senator Byrnes: Senate Bill No. 691—An Act making an appropriation for the contingent expenses of the Senate for the twenty-ninth session of the Legislature.

Bill ordered printed and placed on file.

RESOLUTION—(OUT OF ORDER).

By Senator Mahoney:

Resolved, That J. J. McCarthy, temporary Assistant Secretary of this Senate, be and he is hereby allowed the sum of sixteen dollars and eighty cents for mileage, payable out of the Contingent Fund of the Senate.

MOTION.

Senator McGowan moved that the rules be suspended, and the resolution be considered at once.

On roll call, the motion was carried by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Williams (Wm. H.), and Williams (Geo. H.)—30.

NOES—None.

The roll was called on the adoption of the resolution, and it was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Williams (Wm. H.), and Williams (Geo. H.)—29.

NOES—None.

RESOLUTION—(OUT OF ORDER).

By Senator McGowan:

Resolved, That the Controller of State be and he is hereby directed to draw his warrant in favor of Frank H. Wing, and the State Treasurer is hereby directed to pay the same, for the sum of twelve dollars and seventy-five cents, for additional rubber stamps as per accompanying voucher.

Resolution referred to Committee on Attachés, Contingent Expenses, and Mileage.

Senator Seawell asked leave to introduce a bill out of order.

The roll was called, and permission granted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Williams (Wm. H.), and Williams (Geo. H.)—28.

NOES—None.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Senator Seawell: Senate Bill No. 692—An Act to appropriate money to pay the claim of William M. Pierson and Robert B. Mitchell, for moneys disbursed by them in certain legal proceedings brought on behalf of the State of California under the employment of the Attorney-General.

Bill considered on file, read the first time, and ordered printed.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

The bill having been read the third time on a previous day, the roll was called on its final passage, and the bill passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Preston, Seawell, Shippee, Simpson, and Williams (Wm. H.)—26.

NOES—None.

Title read and approved.

Assembly Bill No. 110 passed on file.

Assembly Bill No. 696—An Act to amend an Act entitled "An Act to reincorporate the city of San José," approved March 17, 1874.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—30.

NOES—Mr. Goucher—1.

Title read and approved.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 5.

To propose to the people of the State of California an amendment to section thirty-four of article four of the Constitution of the State of California.

The Legislature of the State of California, at its twenty-ninth session, commencing on the fifth day of January, Anno Domini eighteen hundred and ninety-one, two thirds of all the members elected to each House of said Legislature voting in favor thereof, hereby propose that section thirty-four (34) of article four of the Constitution of the State of California be amended so as to read as follows:

SECTION 34. No bill making an appropriation for money, except the general appropriation bill, and the deficiency bill, for the appropriation of money exclusively devoted to the support of the General Government and State institutions, shall contain more than one appropriation, and that for a single and certain purpose to be therein expressed. When the deficiency bill is presented to the Governor, he may object to one or more items, while approving other portions of the bill. No officer of the State shall have power to

incur any deficiency except in case of actual necessity, and then only upon the written authority, first obtained, of the Governor, Secretary of State, and Attorney-General. Any deficiency incurred in violation of this provision shall be void, and the Legislature shall not have the power to appropriate money to pay the same.

Amendment read, and on roll call was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—30.

NOES—None.

Senator Goucher gave notice that on to-morrow he would move to reconsider the vote by which Assembly Constitutional Amendment No. 5 was adopted.

Senator Berry moved to make Assembly Bill No. 212 a special order for Tuesday, at three o'clock and thirty minutes P. M.

So ordered.

Assembly Bill No. 180—An Act to designate the quality of goods manufactured and prepared in the State of California, and to require manufacturers to stamp upon their products and manufactures the class of labor employed in their preparation.

Senator Berry moved to strike out the enacting clause.

Senator Goucher raised the point of order that a bill is not subject to amendment on its first reading.

The Chair decided the point of order well taken.

Senator Berry moved that the further consideration of the bill be indefinitely postponed.

The ayes and noes were demanded by Senators Wm. H. Williams, Britt, and Maher.

The roll was called, and the motion to indefinitely postpone lost by the following vote:

AYES—Messrs. Bailey, Berry, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Fraser, Harp, Maher, Ostrom, Preston, Ragsdale, Seawell, Shippee, and Simpson—17.

NOES—Messrs. Banks, Britt, Broderick, De Long, Everett, Flint, Goucher, Hamill, Heacock, Mahoney, McComas, McGowan, Mead, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—18.

Bill read first time.

Assembly Bill No. 317—An Act to amend section one hundred and ninety-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the salary of the county officers in the counties of the thirty-fifth class.

Bill read first time.

Assembly Bill No. 561—An Act making appropriations for the support of the government of the State of California for the forty-third and forty-fourth fiscal years.

Passed on file.

Assembly Bill No. 125—An Act to amend section six hundred and thirty-three of the Penal Code, relating to the taking of trout.

Bill read first time.

Assembly Bill No. 87—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six

hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand eight hundred, three thousand eight hundred and sixteen, and three thousand eight hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Bill read first time.

Assembly Bill No. 28—An Act to amend an Act entitled "An Act to establish a Political Code of the State of California."

Bill read first time.

Assembly Bill No. 692—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part second of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relative to a system of street improvement bonds.

Bill read first time.

Assembly Bill No. 441—An Act to amend sections eight, eighteen, twenty-one, and twenty-three of an Act entitled "An Act to incorporate the town of Red Bluff, Tehama County, California," approved March, 1876, and amended March, 1878.

Bill read first time.

Substitute for Assembly Bill No. 280—An Act making an appropriation for the Reform School for Juvenile Offenders at Whittier.

Bill read first time.

Assembly Bill No. 471—An Act to ascertain and express the will of the people of the State of California upon the subject of requiring an educational qualification of voters.

Bill read first time.

Assembly Bill No. 338—An Act to authorize Robert C. Ball to sue the State of California.

Bill read first time.

Senate Bills Nos. 166, 37, and 658 passed on file.

SPECIAL FILE OF URGENCY CASES.

Senate Bill No. 482 passed on file.

Senate Bill No. 142 passed on file.

Senate Bill No. 62—An Act for the relief of Patrick Creighton.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Dargie, Denison, Everett, Fraser, Hamill, Maher, Mahoney, McComas, Mead, Preston, Ragsdale, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—21.

NOES—Messrs. Bailey, Berry, Carpenter, Goucher, Heacock, and Ostrom—6.

Title read and approved.

Senate Bill No. 652—An Act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now resident of this State, and fixing penalties and punishments for violation of this Act, and providing for deportation of criminals.

Bill read second time.

Senator Maher moved to amend as follows:

Amend by striking out of section twenty-two, line three, the word "or" after the word "ordinance," and insert the following: "of a."

Adopted.

Also: Amend by striking out of section twenty-three, line five, the word "misdemeanor," and inserting the following: "felony."

Adopted.

Also: Amend by striking out of section twenty-four, line two, the word "labor," and inserting the following: "of the Bureau of Labor Statistics," after the word "Commissioner;" and in line five, striking out the word "labor" and inserting after the word "Commissioner" the following: "of the Bureau of Labor Statistics."

Adopted.

Also: Amend by striking out of section eight, line four, the words "accompanying and."

Adopted.

Bill ordered printed and engrossed, and to retain its place on file.

Senator Dargie moved that Senate Bill No. 37 be withdrawn from the file.

So ordered.

President pro tem. Fraser in the chair.

Senate Bill No. 330—An Act to amend sections one, nine, and seventeen of "An Act to provide for the erection and management of a State Hospital for the Insane, to be located in Southern California," approved March 11, 1889.

Bill read second time.

Senator Streeter moved to amend by striking out of section two all of line seven, and inserting in lieu thereof the following:

The Chairmen of the Boards of Supervisors of the several counties may make application in behalf of any inebriate in indigent circumstances, to the Judge of the Superior Court of the county where he resides, and said Judge shall call two reputable physicians and other credible witnesses and fully investigate the facts of the case, and either with or without the verdict of jury, at his discretion, as to his being an inebriate, shall decide the case as to his indigence, and if the Judge certifies that satisfactory proof has been adduced showing him to be an inebriate, and his estate is insufficient to support him and his family (or if he has no family, himself), and that he would probably reform under treatment therein, on his certificate authenticated by the County Clerk and the seal of the Superior Court he shall be admitted into the said asylum and kept there until he shall be reformed, but the said period is not to exceed one year, by which time if he shall not be reformed, he shall be discharged as being an incurable inebriate, and a majority of the Trustees of the said asylum may at any time discharge an inebriate who has been reformed, upon the recommendation of the Superintendent of the said asylum.

The Judge of the Superior Court in trying such case shall have requisite power to compel the attendance of witnesses and jurors, and shall file the certificate of the physicians, taken under oath, and other papers, with a report of his proceedings and decision, with the Clerk of the county.

The Chairmen of the Boards of Supervisors of the several counties shall make the herein mentioned application to the Judge of the Superior Court of the county where any inebriate resides, upon the production and filing of an affidavit or affidavits by two reputable practicing physicians and two reputable citizens, freeholders of such county, to the effect that such inebriate is lost to self-control; unable, from such inebriation, to attend to business, or is thereby dangerous to remain at large; and the affidavit of the said two reputable citizens, freeholders of said county, is also to contain a statement that the said inebriate is an indigent person, to the best of their knowledge and belief.

The commitment of any inebriate to the said asylum shall not be made by any Judge of the Superior Court for a longer period than one year, and whenever there are vacancies in the said asylum, the Trustees of same may authorize the Superintendent of same to admit under such rules and regulations as the Trustees of said asylum may adopt by special agreement, such private patients as may seek admission, who, in his opinion, promise reformation, but preference in all cases shall be given to citizens of the State; and the charges, to be collected monthly in advance, for keeping of such private inebriate patients, shall not be less than the cost of their food, care, and the attendance furnished them.

The word used herein denoting the masculine gender only may extend to and include females.

Adopted.

Senate Bill No. 330 ordered engrossed and printed as amended, and on file for third reading.

MOTION.

Senator Ostrom moved that two more members of the Senate be added to the committee of five already appointed to attend the funeral of the late United States Senator George Hearst.

Senator Goucher offered the following resolution as an amendment to the motion:

Resolved by the Senate, the Assembly concurring, That on the date of the funeral of the late Senator George Hearst in San Francisco the Senate and Assembly stand adjourned out of respect to the many virtues and distinguished character of the deceased; and be it further

Resolved, That all the members of the Senate and Assembly be and they are hereby constituted a committee to attend said funeral.

Amendment adopted, and on motion of Senator Heacock was ordered transmitted to the Assembly forthwith.

SPECIAL ORDER.

Senate Bill No. 398, set for four o'clock P. M. to-day, on motion of Senator Seawell was continued until five o'clock P. M.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 6, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 371—An Act to provide for accommodation and improvements at the State Insane Asylum at Stockton, and to appropriate money therefor.

Also: Senate Bill No. 398—An Act to prohibit adulteration of beer and malt liquors.

Also: Senate Bill No. 660—An Act making an appropriation to pay the deficiency in the appropriation for stationery, supplies, fuel, and lights for the Legislature and State officers for the forty-second fiscal year.

Also: Senate Bill No. 662—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the forty-second fiscal year.

Also: Senate Bill No. 272—An Act fixing the rate of tare on baled hops.

Also: Senate Bill No. 665—An Act making an appropriation to pay the deficiency in the appropriation for the Attorney-General, for the forty-second fiscal year, for costs and expenses of suits wherein the State is a party in interest.

Also: Senate Bill No. 663—An Act making an appropriation to pay the deficiency in the appropriation for the traveling expenses of the Attorney-General for the forty-second fiscal year.

Also: Senate Bill No. 664—An Act making an appropriation to pay the deficiency in the appropriation for expenses that may be incurred by the Attorney-General, for the forty-second fiscal year, in suits in the United States Courts.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 6, 1891.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 108—An Act to amend the Penal Code of California, by adding a new section thereto, to be known as section three hundred and eight, relative to the sale or furnishing of tobacco or preparations thereof to persons under sixteen years of age.

Also: Senate Bill No. 388—An Act to divide the State of California into Congressional districts.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 6, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred Senate Bill No. 690, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BYRNES, Chairman.

SPECIAL FILE OF URGENCY CASES—(RESUMED).

Senate Bill No. 684—An Act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Ostrom, Preston, Ragsdale, Shippee, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—28.

NOES—None.

Title read and approved.

On motion of Senator De Long, the bill was ordered transmitted immediately to the Assembly.

RESOLUTION—(OUT OF ORDER).

By Senator Ostrom:

Resolved by the Senate, the Assembly concurring, That the twenty-ninth session of the Legislature of the State of California adjourn *sine die* on Saturday, March 14, 1891, at twelve o'clock noon.

The roll was called, and the resolution lost by the following vote:

AYES—Messrs. Berry, Carpenter, Crandall, Denison, Dray, Hamill, Harp, Heacock, McComas, Mead, Ostrom, and Voorhies—12.

NOES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Siskiyou, Dargie, De Long, Everett, Flint, Fraser, Goucher, Maher, Mahoney, McGowan, Preston, Ragsdale, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—21.

Senate Bill No. 406 passed temporarily on file.

Senate Bill No. 638—An Act to amend section seven hundred and thirty-seven of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts of the City and County of San Francisco, and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, and Calaveras.

Bill read second time.

Amendment by committee:

In line seven, section one, of printed bill, after the word "Solano," insert the word "Yolo."

Amendment adopted.

Also, the following committee amendment to the title was submitted:

Insert after the word "Stanislaus" the word "Yolo."

Adopted.

Bill ordered engrossed and printed as amended.

Senate Bill No. 581—An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure of California.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Dargie, De Long, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—None.

Title read and approved.

Senate Bill No. 409—An Act to appropriate money for the erection of a monument in Golden Gate Park, in the City and County of San Francisco, in memory of the late General M. G. Vallejo.

Bill read second time, and passed on file temporarily.

Senate Bill No. 622—An Act to amend an Act entitled "An Act to regulate and govern the State Prisons of California," approved March 19, 1889.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Streeter, and Williams (Geo. H.)—28.

NOES—None.

Title read and approved.

Senate Bill No. 409 resumed.

The following amendments were submitted:

By Senator Heacock:

Amend by adding to section one, after the words "General M. G. Vallejo," the words "General E. D. Baker."

Adopted.

Also: Amend by striking out of section one, line one, the word "ten," and inserting the following in lieu thereof: "twenty."

Adopted.

Also: Amend by striking out of section one, line three, the words "a monument," and inserting the following in lieu thereof: "monuments."

Adopted.

Also: Amend by striking out of section three, line two, the word "ten," and inserting the following in lieu thereof: "twenty."

Adopted.

Also: Wherever the word "monument" occurs in the bill by making it read "monuments."

Adopted.

Also: Amend the title by striking out the words "a monument," and insert "monuments," and add to the end of title, "and General E. D. Baker."

Adopted.

Bill ordered engrossed and printed as amended, and on file for third reading.

Senate Bill No. 126—An Act making an appropriation for the purchase of jute machinery, and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State.

Senator Ostrom moved to amend the title so as to read:

An Act fixing the price at which jute goods shall be sold by the State, and providing the manner of sale thereof.

Adopted.

On motion of Senator Seawell, the special order set for five o'clock was postponed temporarily, until the matter at hand be disposed of.

The roll was called, and Senate Bill No. 126 finally passed by the following vote:

Ayes—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.

Noes—Messrs. Byrnes, Dargie, Everett, and Simpson—4.

Title read and approved, as amended.

Senator Campbell of Siskiyou moved that the Senate now take a recess.

Motion lost.

SPECIAL ORDER.

Senate Bill No. 398—An Act to prohibit the adulteration of beer and other malt liquors.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—32.
NOES—None.

Title read and approved.

RECESS.

At five o'clock and thirty minutes P. M., on motion of Senator Wm. H. Williams, the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thos. Fraser, President pro tem. of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Hamill, Harp, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, and Williams (Geo. H.).

Quorum present.

Senator Mead asked unanimous consent to take up, for third reading and final passage, Senate Bill No. 395.

Granted.

Senate Bill No. 395—An Act to provide for the payment of the claim of A. B. Dibble, for professional services performed by him in the case of the People, respondent, vs. O. P. Dobbins, appellant, No. 12,106, Department One of the Supreme Court, August 30, 1887.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, and Williams (Geo. H.)—24.
NOES—None.

Title read and approved.

On motion of Senator Mead, the bill was ordered transmitted to the Assembly forthwith.

On motion of Senator Maher, Senate Bills Nos. 633 and 634 were placed on the special file.

SPECIAL FILE—CASES OF URGENCY.

On motion of Senator Mead, Senate Bill No. 583 was passed on file temporarily.

RESOLUTION—(OUT OF ORDER).

By Senator Maher:

Resolved, That the Secretary of State be and he is hereby directed to furnish each Senator with five bound sets of Irrigation Reports.

Adopted.

SPECIAL FILE OF URGENCY CASES—(RESUMED).

Assembly Bill No. 692—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part second of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relative to a system of street improvement bonds.

Bill read second and third times.

On motion of Senator Carpenter further consideration was postponed, the bill to retain its place on file.

Senate Bill No. 293—An Act for the relief of John J. Conlin.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Maher, Mahoney, McComas, Mead, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.

NOES—Messrs. Carpenter, Heacock, and Ostrom—3.

Title read and approved.

Senator Mahoney moved that the bill be immediately transmitted to the Assembly.

So ordered.

MOTION.

Senator Goucher moved that a committee of three be appointed to ascertain if the Assembly takes up and considers Senate messages within a reasonable time after their reception.

So ordered.

The Chair appointed as such committee Senators Goucher, Everett, and Shippee.

SPECIAL FILE OF URGENCY CASES—(RESUMED).

Senate Bill No. 688—An Act to authorize the Directors of the Veterans' Home Association to exchange certain lands in the City and County of San Francisco for certain other property belonging to said city and county, or for a lease of said property.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Streeter, Welch, and Williams (Wm. H.)—28.

NOES—None.

Title read and approved.

Senate Bill No. 583—An Act to amend section two of an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property and the creation of trusts for the founding, endowment, erection, and maintenance, within this State, of universities, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—None.

Title read and approved.

Assembly Bill No. 232—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen, twenty-two, and twenty-three thereof, relating to irrigation districts.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 6, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 482—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

RAGSDALE, Chairman.

NOTICE OF RECONSIDERATION.

Senator Goucher gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 232 was this day finally passed.

Senate Bill No. 63—An Act to fix the compensation for gas supplied by persons, companies, or corporations, to any city, or incorporated city and county, of more than one hundred thousand (100,000) inhabitants, or to the inhabitants thereof, and to provide a penalty for collecting or attempting to collect illegal gas rates.

Amendment by Senator Hamill:

Amend by striking out of section one, line six, the word "four," after words "or burner allowing," and inserting the following: "five."

Adopted.

Bill read second time, and ordered engrossed and on file for third reading.

Senate Bill No. 251—An Act entitled an Act to prohibit the publication in any newspaper, periodical, publication, or pamphlet, of any list, or partial list, of numbers of tickets, checks, or coupons entitled to prizes

resulting from the drawing of any lottery, or to publish any account of any person having drawn a prize in any lottery, and to provide a penalty for violating this Act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 55—An Act to appropriate money to pay the claim of Enoch N. Strout, for services rendered as Reclamation Land Commissioner under "An Act to provide for the funding of the indebtedness of the reclamation and levee districts of this State," approved March 30, 1872.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—22.
NOES—Messrs. Campbell of Solano, Carpenter, Dargie, and Heacock—4.

Title read and approved.

Substitute for Senate Bill No. 340—An Act to repeal title sixteen of part four, division one, of the Civil Code, and to substitute a new title in place thereof, providing for the formation and government of mutual building and loan associations.

Bill read second time, ordered engrossed and on file for third reading.

ADJOURNMENT.

At nine o'clock and thirty minutes P. M., on motion of Senator Campbell of Siskiyou, the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, March 7, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator McComas moved that further reading of the Journal be dispensed with.

So ordered.

LEAVE OF ABSENCE.

On motion of Senator Mahoney, leave of absence was granted Senator McGowan for to-day.

MOTION.

Senator Dray moved to recommit Senate Bill No. 562 to the Committee on Public and Swamp and Overflowed Lands.

So ordered.

REPORT OF SPECIAL COMMITTEE.

Senator Goucher, for committee appointed by the Senate to investigate the reason of the delay of the Assembly in considering Senate messages, reported verbally that the committee had investigated the matter, and was informed by the Speaker of the Assembly that the matter would be attended to at once.

On motion of Senator Goucher, the committee was discharged.

MOTIONS.

Senator Ostrom moved to make the consideration of the motion to reconsider Senate Bill No. 265 a special order for Monday, at four o'clock and thirty minutes P. M.

On roll call, the motion prevailed by the following vote:

AYES—Messrs. Bailey, Berry, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Dray, Flint, Goucher, Harp, Heacock, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, and Wilson—19.

NOES—Messrs. Banks, Britt, Broderick, Byrnes, Denison, Everett, Fraser, Hamill, Maher, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—15.

Senator Goucher moved the reconsideration of the vote by which Assembly Bill No. 232 was finally passed on yesterday.

Senator Ostrom moved to amend by indefinitely postponing the motion to reconsider.

The amendment carried, and the motion to reconsider was indefinitely postponed.

Senator Campbell of Solano moved to suspend the rules, and take up all special orders set for to-day.

On roll call, the Senate decided to suspend the rules by the following vote:

AYES—Messrs. Bailey, Berry, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Fraser, Harp, Heacock, Maher, Mead, Ostrom, Ragsdale, Sprague, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—22.

NOES—Messrs. Banks, Britt, Broderick, Everett, and Hamill—5.

Senator Goucher moved that Assembly Bill No. 232 be immediately transmitted to the Assembly.

So ordered.

SPECIAL ORDERS.

Committee Substitute for Assembly Bills Nos. 12, 32, 65, 69, 77, and 242—An Act to amend section one, to add one new section, to be numbered eight and one half, of an Act entitled "An Act to form agricult-

ural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same."

Bill passed temporarily on file, on motion of Senator Heacock.

Senate Bill No. 482—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Dargie, Denison, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—Messrs. Bailey, Berry, Carpenter, Crandall, Dray, Flint, Mead, Ostrom, Preston, Shippee, and Wilson—11.

Title read and approved.

Senator Heacock gave notice that on to-morrow he would move to reconsider the vote by which Senate Bill No. 482 was finally passed.

Senate Bill No. 678—An Act to establish a uniform system of county and township governments.

Bill read second time.

RESOLUTION—(OUT OF ORDER).

By Senator Heacock:

Resolved, That Senate Bill No. 691 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

On roll call, the resolution was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Brynes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Maher, McComas, Ragsdale, Seawell, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Wilson—28.

NOES—None.

Senate Bill No. 691—An Act making an appropriation for the contingent expenses of the Senate for the twenty-ninth session of the Legislature.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Byrnes, Campbell of Solano, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, Ostrom, Ragsdale, Seawell, Shippee, Sprague, Streeter, Voorhies, and Williams (Wm. H.)—25.

NOES—None.

Bill ordered immediately transmitted to the Assembly.

RESOLUTION—(OUT OF ORDER).

By Senator Ostrom:

Resolved, That Senate Bill No. 690 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

On roll call, the resolution was adopted by the following vote:

Ayes—Messrs. Bailey, Berry, Byrnes, Carpenter, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Seawell, Shippee, Sprague, Streeter, Welch, Williams (Wm. H.), and Wilson—27.

Noes—Messrs. Campbell of Solano, Campbell of Siskiyou, Crandall, and Voorhies—4.

Senate Bill No. 690—An Act to add a new section, to be known as section six hundred and eighty-four of the Political Code, in regard to the appointment of and fixing the salary of an assistant to the Secretary of the State Board of Examiners, and to appropriate money for the payment of his salary.

Bill read second and third times, and finally passed by the following vote:

Ayes—Messrs. Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Flint, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Seawell, Shippee, Streeter, Welch, Williams (Wm. H.), and Wilson—23.

Noes—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Carpenter:

Resolved, That substitute for Senate Bill No. 27 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

Ayes—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Carpenter, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—29.

Noes—Messrs. Campbell of Solano and Crandall—2.

Committee Substitute for Senate Bill No. 27—An Act to provide for the improvement of the Reform School at Whittier, California, for Juvenile Offenders, and make an appropriation for the same.

Bill read second time, amended, and ordered engrossed and printed as amended, and on file for third reading.

MOTIONS.

Senator Crandall moved to postpone further consideration of Senate Bill No. 678 until Monday.

So ordered.

Senator Crandall moved that all amendments to Senate Bill No. 678 be sent to the Secretary's desk that they may appear printed in the Journal on Monday.

So ordered.

AMENDMENTS.

Senator Ragsdale moved to amend by striking out of section one hundred and sixty-nine, lines twenty-one to and including line fifty-six, and inserting the following:

14. Constables shall receive, for their own use and benefit, the following fees, which shall be in full of all compensation for such service as is now or may be hereafter required of them by law: For serving a summons and complaint, or any other process by which an action or proceeding is commenced, on each defendant, fifty cents. For serving an attachment on property, or levying an execution, or executing an order of arrest, or order for the delivery of personal property, one dollar. For his trouble and expense in taking possession of and preserving property under attachment or execution, or other process, as the Court shall order, provided no more than two dollars per diem shall be allowed to a keeper, three dollars. For taking a bond or undertaking in any case he is authorized to take the same, fifty cents. For copy of any writ or process, or other paper, when demanded or required by law, for each folio, fifteen cents. For serving every notice, rule, or order, twenty-five cents. For advertising property for sale under execution or any judgment or order of sale, exclusive of the cost of publication, each, fifty cents. For serving a writ of possession or restitution, putting a person in possession of premises, and removing the occupant, two dollars. For holding each inquest or trial of right of property, to include all service in the matter, except mileage, two dollars. For serving subpœnas, for each witness served, twenty-five cents. For traveling to serve any summons and complaint, or any other process by which an action or proceeding is commenced, notice, rule, order, subpœna, attachment on property, to levy an execution, to post notices of sale, to sell property under execution or other order of sale, to execute an order for the delivery of personal property, writ of possession or restitution, to hold an inquest or trial of the right of property, or in executing a writ of habeas corpus, for each mile necessarily traveled, to the most distant point where service is made, thirty cents; *provided*, that if any two or more papers be required to be served in the same suit, at the same time, and in the same direction, one mileage only shall be charged to the most distant point to complete the service. For commission for receiving and paying over money on execution or other process when lands or other personal property have been levied on or sold, on the first one hundred dollars, two per cent, and on all sums above that amount, one per cent. For executing a certificate of sale, fifty cents. The fees herein allowed shall be collected from the judgment debtor. For making every arrest in a criminal action, other than on a charge of felony, one dollar. For making every arrest on a charge of felony, one dollar and fifty cents. For summoning a jury of twelve or less persons, two dollars; for each extra juryman over and above twelve, twenty-five cents. For every mile necessarily traveled in executing any warrant of arrest, serving subpœnas, bringing up a prisoner on habeas corpus, taking a prisoner to jail by order of any Court, to the most distant point within the Constable's own county, thirty cents; *provided*, that when two or more persons, or two or more papers in the same case are served at the same time, or in the same direction, or on the same trip, but one mileage shall be charged to the most distant point of service. For conveying a prisoner, when under arrest, the necessary expense actually paid for the transportation of the prisoner.

Constables shall not make any arrest or serve any paper in a criminal case on any person outside of their own county, without first obtaining the written consent and order of the District Attorney of their county to do and perform such service as aforesaid.

15. Supervisors, for all services required of them by law, or by virtue of their office, must be allowed six dollars ($6) per day, and thirty cents per mile, in traveling from their place of residence to the Court House; *provided*, that only one mileage must be allowed at each term; *and provided further*, that no Supervisor must be allowed more than one day's pay for any one day by reason of his being on the committees appointed by the Board of Supervisors, or for any other cause; *provided*, that in no case must the per diem of the Supervisors exceed eight hundred dollars ($800) each in one year.

By Senator Ragsdale:

Amend by striking out of section twenty-one, line six, the word "indexing."

By Senator Fraser:

Amend section one hundred and twenty-five by adding a new subdivision, to be numbered twenty-two, to read as follows:

"An Index of Decrees of Distribution in Probate," labeled "Decrees of Distribution," divided into six columns, headed, respectively, "Whose Estate," "Name of Administrator," "Names of Distributees," "Date of Decree," "In What Court," "Where Recorded;" and amend by making subdivision twenty-two read twenty-three.

By Senator Goucher:

Amend section thirty-six of printed bill by striking out the word "fifteen" on line two hundred and fifty-six, page fourteen of printed bill, and inserting in lieu thereof the word "twenty-four."

Also: Amend section fifty-one by adding thereto: "and before allowance, such claims must be presented to the District Attorney, who must indorse thereon, in writing, his opinion as to the legality thereof; if the District Attorney declare the claim illegal, he must state specifically wherein it is illegal, and the claim must then be rejected by said Board."

Also: Amend section one hundred and seventy, subdivision thirteen, page fifty-seven of printed bill, by inserting after the word "parties," on line nineteen, the following: "to be paid in monthly installments not to exceed one hundred and twenty-five dollars in any one month." Strike out the last nine words on line twenty-three.

Also: Amend subdivision fourteen, same section, on line twenty-seven, page fifty-seven of printed bill, by inserting after the word "parties" the following: "to be paid in monthly installments not to exceed one hundred and twenty-five dollars in any one month." Strike out the last nine words on lines thirty-nine and forty.

Also: Amend section one hundred and seventy, subdivision fifteen, on page fifty-seven, line forty-two, of printed bill, by adding thereto the following: "*provided*, that from and after the passage of this Act, no Supervisor shall receive more than six days' compensation in any one month, whether for services rendered as Supervisor or Road Commissioner, unless the Board of Supervisors pass a resolution that further time is required (stating the amount) in which to transact the business of the county for such month, which resolution must be in writing and presented to the District Attorney for his approval or disapproval, which must be indorsed thereon; if he disapprove the same, no further compensation can be drawn by any Supervisor for such month; if he approve the same, the Supervisors shall be entitled to additional compensation at the same per diem, as above mentioned, for such additional time as may be required to transact the business of the county, not to exceed the number of days set forth in said resolution."

Also: Amend section one hundred and seventy, subdivision seventeen, by inserting on line sixty-eight, page fifty-eight of the printed bill, between the words "month" and "he," at end of line, the following: "and a comparing deputy at a salary of one hundred dollars per month."

Also: Amend section one hundred and seventy, subdivision twenty, on page fifty-nine, line ninety-five of printed bill, by striking out the words "one deputy" and inserting in lieu thereof the words "three deputies." After the word "month," and before the word "and," on same line, insert the word "each."

Also: Amend section one hundred and seventy, subdivision twenty-one, on page fifty-nine, line ninety-nine of printed bill, by inserting between the words "appoint" and "an," the following: "an Assistant District Attorney at a salary of twenty-four hundred dollars per annum."

Also: Amend section one hundred and seventy, on page sixty of printed bill, by adding thereto:

25. Each of the Superior Judges shall receive from the county the sum of fifty dollars per month for stamps, stationery, and such clerical assistance as he may require at chambers to enable him to properly perform the duties of his office.

Also: Amend section two hundred and thirty, subdivision two, page one hundred and thirty-five of printed bill, by adding thereto: "and such other expenses necessarily incurred by him in the prosecution of criminal cases."

Also: Amend section two hundred and thirty-four by inserting after the word Act on line one of said section, on page one hundred and thirty-seven of the printed bill: "unless otherwise herein provided."

By Senator Dray:

Amend by inserting in section ninety-six, page twenty-nine, line two, after the word "attorney," the following words: "the fees having first been paid or tendered."

Also: Amend by adding to section one hundred and sixty-seven, line four, the words: "and such fees and mileage as are now or hereafter may be provided by law for all services done or performed in actions coming from another county, and for all criminal service necessarily performed outside of his county, and all necessary expense incurred in arresting and conveying prisoners before a Court or to prison, and shall have such fees and reasonable expenses incurred in taking and keeping property seized under attachment or levied on under execution: *provided*, that the keeper's fees shall not exceed three dollars per day of twelve hours, except when it becomes necessary to keep a place of business open in the night, in which case he shall be allowed additional keeper's fees, to be fixed by the Court from which the writ issued under which the property was taken."

By Senator Heacock:

Amend line one, section one hundred and thirty-two, by striking out the words "may, at his option," and insert at the commencement of the section the words "it shall be the duty of."

Also: Amend subdivision four, section one hundred and thirty-three, by striking out of line ten the words "after he has consented so to do."

Also: Add at the end of section one hundred and thirty-two the following: "and it shall be further his duty to take and certify the acknowledgment of all instruments authorized by law to be acknowledged."

By Senator Campbell of Siskiyou:

Amend by inserting the following on page ninety-nine, section one hundred and ninety, line four, after the word "annum:" "*provided*, that all fees received by him from all sources whatever in his official capacity shall be paid by him into the County Treasury."

Also: Amend by inserting the following on page ninety-nine, section one hundred and ninety, line six, after the word "annum:" "*provided*, that all fees received by him from all sources whatever in his official capacity shall be paid by him into the County Treasury."

Also: By inserting the following after the word "thousand," in section one hundred and ninety-one, page one hundred, line five: "six hundred," making it read "three thousand six hundred dollars."

Also: Amend by striking out of section two hundred and eleven, line seven, the word "four," and inserting the following: "six."

Also: By inserting the following after the word "amount," on page one hundred and twenty-eight, section two hundred and eleven, line four: "*provided*, that the County Clerk be and is hereby allowed a deputy from and after July 1, 1891, until January 1, 1893, at a salary of fifty dollars per month in addition to his regular salary as County Clerk."

By Senator Dargie:

Amend by adding a new subdivision at the end of section sixty-nine, to be designated subdivision forty-one, to read as follows:

"41. To appropriate from the General Fund of the county, for the purpose of securing and maintaining an adequate exhibition of the products of such county at the World's Columbian Exposition, to be held in Chicago in the year eighteen hundred and ninety-three, as follows: In counties of the first class, not to exceed fifty thousand dollars; in counties of the second, third, fourth, and fifth classes, not to exceed forty thousand dollars, and all other classes in the State of California, not to exceed seven thousand five hundred dollars."

By Senator Mead:

Amend by striking out of section two hundred and six, line five, all after the word "and," and inserting the following: "twenty-five cents mileage, in going only."

Also: Amend by striking out of section two hundred and six, line eight, the words "one hundred and fifty."

By Senator Bailey:

Amend paragraph fifteen, section one hundred and sixty-six, page fifty-three of printed bill, by inserting the following: "and five hundred dollars per annum as Road Commissioners."

Also: Amend section twenty-five, line thirty-nine, by inserting after the word "county" the following: "And to purchase or otherwise acquire the necessary real estate upon which to sink wells to obtain water for sprinkling roads, and other county purposes, and to erect thereon tanks or reservoirs for the storage of water for such purposes, and to erect pumping apparatus for obtaining the same to."

Also: Amend by striking out of section twenty-five, line two hundred and fifty-nine, the words "one thousand (1,000)," and inserting the following: "two thousand five hundred (2,500)."

Also: Amend section one hundred and sixty-six, line twenty-eight, by adding after the word "year," in said line twenty-eight, the following: "for services in criminal cases."

Also: Amend by striking out of section one hundred and sixty-six, line nine, the words "twelve hundred (1200)," and inserting the following: "two thousand (2000)."

Also: Amend by striking out of section one hundred and sixty-six, line eight, the words "seven thousand," and inserting the following: "sixty-five hundred."

By Senator Campbell of Siskiyou:

Amend by striking out of section ten, line three, the word "eighty" and inserting the following: "ninety."

By Senator Goucher:

Amend sections one hundred and seventy-eight, one hundred and ninety-eight, and two hundred and five, by adding to each the following:

"The Board of Supervisors shall, when requested by the official reporter of the Superior Court, and recommended by the Judge thereof, allow said reporter such monthly salary as may be deemed reasonable, but which shall not be less than fifty dollars, in lieu of the fees which now are or which hereafter may be allowed him by law as a charge against

the county for attendance on said Superior Court, reporting criminal cases tried therein, and transcribing the same when required; *provided*, that the County Auditor shall not draw his warrant for said salary except the reporter shall first file with him a certificate that all such transcription ordered to the date thereof has been duly completed and filed."

Also: Strike out section ten and substitute the following:

"SEC. 10. The several counties of this State are hereby classified, and shall hereafter remain classified according to their population, as ascertained by the Federal census taken in the year 1890. And hereafter whenever a new census is taken, the Secretary of State shall, as soon as the same shall be officially ascertained by him, certify to the County Clerks of the several counties in this State the population of each county as determined by such new census; and on the even numbered years thereafter, the several counties are, by operation of law, classified thereunder; but such classification shall not operate to change the government of the county then in existence until the first Monday after the first day of January next succeeding; except, that the Board of Supervisors shall provide for the election of officers and such other matters as shall be necessary to put the county government in operation on the said first Monday after the first day of January, in accordance with the new classification."

By Senator Voorhies:

Amend section twenty-five, line two hundred and thirty-two, by inserting after the word "otherwise" the following: "*provided*, that the Boards of Supervisors shall have no power to levy or collect any license for regulation, or revenue for pasturing or grazing any live stock upon the lands belonging to the United States, or on private property."

By Senator Dargie:

Amend by adding a new subdivision at the end of section sixty-nine, to be designated subdivision forty, to read as follows:

40. To grant franchises along and over the public roads and highways for all lawful purposes, upon such terms and conditions and restrictions as in their judgment may be necessary and proper, and in such manner as to present the least possible obstruction and inconvenience to the traveling public.

By Senator Campbell of Solano:

Amend section one hundred and seventy-one, line thirty-five, by inserting the following after the word "him:" "and shall convey all taxes collected by him into the County Treasury on or before the first Monday in July of each year."

Also: Amend by striking out of section one hundred and seventy-one, lines forty-one, forty-two, and forty-three, the words—line forty-one: "one thousand;" lines forty-two and forty-three: "one assistant jailer, who shall receive a salary of nine hundred dollars per annum," and insert the following—line forty-one: "nine hundred."

Also: Amend by striking out of section one hundred and seventy-two, line four, the words "seven thousand," and inserting the following: "forty-five hundred."

Also: Amend by striking out of section one hundred and seventy-two, line eight, the word "fifteen," and inserting the following: "eighteen."

Also: Amend by striking out of section one hundred and seventy-two, line nine, the word "three," and inserting the word "two."

Also: Amend by striking out of section one hundred and seventy-two, line twelve, the words "four hundred dollars," and inserting the following: "five hundred dollars."

Also: Amend by striking out of section one hundred and seventy-two, line thirteen, the words "four hundred," and inserting the following: "six hundred."

Also: Amend by striking out of section one hundred and seventy-two, line nineteen, the word "the;" also, the words "of three," and inserting the following: In place of the word "the," the word "a;" also, to insert after the word "of," the words "not exceeding ten."

Also: Amend section one hundred and seventy-two, line twenty-one, by inserting the following after the word "traveled:" "going one way."

Also: Amend section one hundred and seventy-two by inserting the following after line twenty-two: "and actual railroad fare for prisoners."

Also: Amend by striking out of section one hundred and seventy-five, line eighty-nine, the words "a sum not exceeding twenty-five cents per day for each prisoner," and inserting the following after the word "prisoners:" "such sums as the Board of Supervisors may deem necessary."

Also: Amend section fifty-eight, line eight, by inserting the following: After the word "they" the word "may;" also, after the word "deem" the word "it."

Also: Amend section sixty, line two, by inserting the following: After the word "Assessors," the words "except otherwise provided for in this Act."

Also: Amend by striking out of section seventy-seven, line four, the word "in," and inserting the following: After the word "moneys," the word "into."

Also: Amend section ninety-two, line two, by inserting the following: After the word "of," the word "the."

Also: Amend section ninety-three, line eleven, by inserting the following: After the word "charge," the word "of."

Also: Amend by striking out of section one hundred and seventeen, line five, the word "uncanceled," and inserting the following after the word "remained:" the words "uncalled for."

Also: Amend by striking out of section one hundred and twenty-five, line fifty-eight, the words "where recorded."

Also: Amend section one hundred and fifty-eight by inserting the following after line five: the words "or as otherwise provided for in this Act."

Also: Amend by striking out of section one hundred and seventy-eight, line nine, the word "eight," and insert the following: "five."

Also: Amend section one hundred and seventy-eight, line two hundred and forty-one, by inserting the following after the word who: the words "is subpœnaed to."

Also: Amend by striking out of section one hundred and seventy-eight, line two hundred and forty-two, the word "serves," and inserting the following: in line two hundred and forty-two the word "serve;" also, to insert after the word "Peace" the words "or Superior Court;" also, in line two hundred and forty-three, to insert the word "five" after the word "twenty."

Also: Amend section one hundred and seventy-nine, line five, by inserting the following after the word "thousand:" the words "five hundred."

Also: Amend section one hundred and seventy-nine, lines five, eleven, and fourteen, by striking out in line eleven the words "five hundred" and in line fourteen the words "two thousand," and inserting the following: line five, after the word thousand, the words "five hundred;" after the word schools, line fourteen, the words "sixteen hundred."

Also: Amend by striking out of section one hundred and eighty-five, line eight, the words "eighteen hundred dollars," and inserting the following: "two thousand dollars."

Also: Amend section one hundred and ninety-six, line fourteen, by inserting the following: after the word "eighteen," the word "hundred."

Also: Amend by striking out of section two hundred and three, line four, the words "two thousand four hundred," and inserting the following: "one thousand six hundred."

Also: Amend by striking out of section two hundred and three, line five, the words "five thousand five hundred," and inserting the following: "three thousand five hundred."

Also: Amend by striking out of section two hundred and three, line six, the words "one thousand five hundred," and inserting the following: "nine hundred."

Also: Amend by striking out of section two hundred and three, line seven, the words "eighteen hundred," and inserting the following: "five hundred."

Also: Amend by striking out of section two hundred and three, line eight, the words "one thousand six hundred," and inserting the following: "one thousand."

Also: Amend by striking out of section two hundred and three, line nine, the words "one thousand two hundred," and inserting the following: "five hundred."

Also: Amend by striking out of section two hundred and three, line ten, the words "three thousand two hundred," and inserting the following: "two thousand."

Also: Amend by striking out of section two hundred and three, line eleven, the words "two thousand," and inserting the following: "one thousand six hundred."

Also: Amend by striking out of section two hundred and three, line twenty-one, the word "six," and inserting the following: "five."

Also: Amend section two hundred and eleven, line four, by inserting the following: after the word "thousand" the words "two hundred."

Also: Amend section two hundred and sixteen, line twelve, by inserting the following: after the word "boarded" the words "if not otherwise provided for in this Act."

Also: Amend by striking out of section two hundred and thirty-two, line ten, the word "amount," and inserting the following: after the word "said," the word "warrant."

Also: Amend by striking out of section two hundred and thirty-four, line four, the word "office," and inserting the following: after the word "such," the word "officer."

Also: Amend section two hundred, line nine, page one hundred and twenty of printed bill, by inserting after the word "annum" the following: "*provided*, said Tax Collector shall be allowed one Deputy, whose compensation shall not exceed four dollars per day, to be paid out of the County Treasury upon order of the Board of Supervisors; *provided*, such deputy shall not be allowed pay for more than one hundred days."

Also: Amend by striking out of section one hundred and seventy-five the lines beginning at line ninety-one to line one hundred and forty-seven, inclusive, and inserting the following:

FEES OF COUNTY CLERK.

For issuing marriage licenses, two dollars; one half of which shall be paid to the County Recorder. For filing articles of incorporation, fifteen cents; and for indexing each name, fifteen cents. For filing certificates of copartnership, fifteen cents; and for indexing each name, fifteen cents. For all certificates under seal, fifty cents. For all other services, the same fees as are allowed him for similar services in the Superior Court. The Clerk of the Board of Supervisors shall receive for issuing each bridge or ferry license, one dollar. For copy of any paper, order, ordinance, or franchise, twenty cents per folio. At the commencement of each suit or proceeding, the Clerk shall be entitled to demand and receive from the plaintiff, or petitioner, not to exceed the sum of ten dollars, to cover the costs to the time of judgment, or final decree, or order; and the

defendant, three dollars, to cover costs for the same time. If, in the progress of the action or proceeding, the sum allowed the Clerk should be insufficient, he shall be entitled to demand from either party such further sum as may be deemed necessary to cover costs to the time of judgment, final decree, or order, including the entry thereof. Any excess of fees advanced by either party, on the determination of the action or proceeding, shall be returned by the Clerk to the party who advanced them, on demand. The Clerk of the Superior Court shall receive for entering each suit or proceeding on the Clerk's register of actions or register of proceedings, and for making the necessary entries therein during the progress of the suit or proceeding, and of the trial and subsequent proceedings, for the first folio, fifty cents; for each subsequent folio, fifteen cents. For issuing every writ or process, under seal, fifty cents, except the writ of habeas corpus. For issuing each subpœna for one or more witnesses, fifty cents. For filing each paper, fifteen cents. For entering every motion and order, rule, default, discontinuance, dismissal, or nonsuit, per folio, twenty-five cents, when the same contains one folio or less; for each additional folio in excess of one, twenty cents. For calling and swearing every jury voir dire, fifty cents. For calling and swearing every jury to try cause, forty cents. For receiving and entering each verdict of a jury, fifty cents. For entering every cause or proceeding on the calendar, twenty cents. For entering every final judgment, for the first folio, fifty cents; for each subsequent folio, fifteen cents. For making up and filing judgment roll, twenty-five cents. For each entry of judgment on judgment docket, twenty-five cents. For entering satisfaction or credit on judgment docket, twenty-five cents. For administering every oath or affirmation, twenty-five cents. For certifying the same, twenty cents. For copy of any proceeding, record, or paper, per folio, fifteen cents. For every certificate, under seal, fifty cents. For issuing every commission to take testimony, one dollar. For writing down testimony of witnesses during trial, for each folio (to be paid by the party requiring the same), fifteen cents. For issuing every execution or other final process, under seal, fifty cents. For copy of every decree or order of sale of mortgaged property, for each folio, fifteen cents. For receiving and filing every remittitur from Supreme Court, and accompanying papers, fifty cents. For taking and approving each undertaking or bond, fifty cents. For taking justification thereto, twenty-five cents. For taking testimony on justification, or undertaking, or bond, for each folio, twenty cents. For taking acknowledgment of deed or other instrument, to include all writing and the seal, for the first name thereto, fifty cents; for each additional name, twenty-five cents. For indexing every suit in the general index of the Court, as required by law, for each name, twenty cents. For filing and entering papers on transfer of cases from other Courts, two dollars. For transmission of files, or transfer of cases to other Courts, including certificates of order of transfer, two dollars. For searching records or files of each year, except for suitors or their attorneys, fifty cents. For filing all papers on appeal from Justice's Courts, for each case, two dollars. For writing and posting each notice required, twenty-five cents. For each notice for publication, in addition to the cost of publication, twenty-five cents. For recording papers required by law to be recorded, for each folio, fifteen cents; for indexing the same, twenty cents. For recording the testimony and commitment upon examination of insane persons, when it is ascertained by the Judge of the Superior Court that the person committed has sufficient property to pay the expenses of his or her commitment, per folio, fifteen cents. For filing all papers to be kept by him, not required to be recorded, ten cents; for indexing same, for each name, ten cents. For issuing a license required by law, one dollar; *provided*, that no fees shall be charged by the Clerk for affidavit or certificate for or in behalf of a United States pension applicant. For issuing letters testamentary or of administration, fifty cents. For filing and registering each claim on register of claims, twenty-five cents.

Also: Amend by striking out of section one hundred and sixty-four, line ten, the words "three thousand six hundred," and inserting instead the following: "four thousand."

Also: Amend by striking out of section one hundred and sixty-four, line thirteen, all the words after the word "administrator," and inserting the following: "three thousand six hundred dollars per annum."

Also: Amend by striking out of section two hundred and sixteen, line twenty-one, page one hundred and thirty-two, the word "second."

Also: Amend by striking out of section one hundred and sixty-four, line forty-four, after the word "Supervisors," the words "five dollars per diem and mileage," and inserting the following: "one thousand eight hundred dollars per annum, and as ex officio Road Commissioners, three hundred dollars per annum in addition."

Also: Amend by striking out of section one hundred and sixty-four, line one hundred and forty-seven, the words "sixty-six and two thirds," and inserting the following: "fifty."

Also: Amend section one hundred and sixty-four, line one hundred and forty-seven, by inserting the following after the word "month:" "also, three deputies at a safary not to exceed one hundred dollars per month."

Also: Amend by striking out of section one hundred and seventy-one, lines four, twenty-five, and twenty-six, the words: line four, "five thousand five hundred;" line twenty-five, "one thousand;" line twenty-six, "one assistant deputy at a salary of nine hundred dollars per annum;" and inserting the following: line four, "three thousand six hundred;" line twenty-five, "nine hundred."

Also: Amend by striking out of section one hundred and seventy-one, lines twenty-seven, twenty-eight, twenty-nine, and thirty-two, the words: line twenty-seven, "two

deputies;" line twenty-eight, "each" (at beginning of line twenty-eight); line twenty-nine, "one thousand two hundred;" line thirty-two, "July;" and inserting the following: "line twenty-seven, "one deputy;" line twenty-nine, "one thousand five hundred;" line thirty-two, "June."

Also: Amend section twenty-five, line two hundred and three, by inserting the following after the word "counties:" the words "cities and counties."

Also: Amend by striking out of section twenty-five, line two hundred and six, the word "amount;" also, out of line two hundred and seven the word "and."

Also: Amend section twenty-five, line two hundred and sixteen, by inserting the following after the word "done:" "and no greater price shall be charged for similar work when done by authority of law, whether said work is done for the city, city and county, or for private individuals."

Also: Amend section twenty-five, page fourteen, by adding after line two hundred and sixty-five the following, viz.:

"40. To appropriate from the General Fund of the county, for the purpose of securing and maintaining an adequate exhibition of the products of such county at the World's Columbian Exposition, to be held in Chicago in the year eighteen hundred and ninety-three, as follows: In counties of the first class, not to exceed fifty thousand dollars; in counties of the second, third, fourth, and fifth classes, not to exceed forty thousand dollars, and all other classes in the State of California, not to exceed seven thousand five hundred dollars."

Also: Amend by striking out sections seventy, seventy-one, and one hundred and forty-seven, on pages fourteen and fifteen.

Also: Amend by striking out of section twenty-nine, line three, the word "some," and inserting the following: after the word "the," the word "same."

By Senator Seawell:

Amend section one hundred and seventy-nine by inserting the following after line nineteen: "The Boards of Supervisors of counties of the seventeenth class may authorize, by an order in open session of said Board, the officers named in section one hundred and seventy-nine of this Act, to employ such additional assistants or deputies as they may deem necessary for the transaction of the public business, and fix the compensation of such assistants or deputies, and the same shall be a county charge."

Also: Amend section one hundred and seventy-nine by adding thereto the following: "The officers named in section one hundred and seventy-nine of this Act, except three Supervisors, shall be elected in the year eighteen hundred and ninety-four, and shall hold office for the period of four years from the first Monday in January thereafter; but this provision shall not change the time of election nor the expiration of the terms of Supervisors."

WITHDRAWAL OF NOTICE.

Senator Hamill asked leave to withdraw his notice of a motion to reconsider the vote by which Senate Bill No. 33 was passed yesterday.

Granted.

Senator Goucher asked same permission of his notice regarding Senate Constitutional Amendment No. 5.

Granted.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 6, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 251—An Act to prohibit the publication in any newspaper, periodical, publication, or pamphlet of any list or partial list of numbers of tickets, checks, or coupons entitled to prizes resulting from the drawing of any lottery, or to publish any account of any person having drawn a prize in any lottery, and to provide a penalty for violating this Act.

Also: Senate Bill No. 638—An Act to amend section seven hundred and thirty-seven of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 126—An Act fixing the price at which jute goods shall be sold by the State.

Also: Senate Bill No. 688—An Act to authorize the Directors of the Veterans' Home Association to exchange certain lands in the City and County of San Francisco for certain other property belonging to said city and county, or for a lease of said property.

Also: Senate Bill No. 583—An Act to amend section two of an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within the State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885.

Also: Senate Bill No. 293—An Act for the relief of John J. Conlin.

Also: Senate Bill No. 63—An Act to fix the compensation for gas supplied by persons, companies, or corporations, to any city, or incorporated city and county, of more than one hundred thousand (100,000) inhabitants, or to the inhabitants thereof, and to provide a penalty for collecting or attempting to collect illegal gas rates.

Also: Senate Bill No. 690—An Act to add a new section, to be known as section six hundred and eighty-four of the Political Code, in regard to the appointment of and fixing the salary of an assistant to the Secretary of the State Board of Examiners, and to appropriate money for the payment of his salary.

Also: Senate Bill No. 330—An Act to amend sections one, nine, and seventeen of "An Act to provide for the erection and management of a State Hospital for the Insane, to be located in Southern California," approved March 11, 1889.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 227—An Act entitled an Act to add another section to the Code of Civil Procedure of the State of California, relating to incompetent persons.

Also: Senate Bill No. 585—An Act to amend section two thousand six hundred and seven of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California to establish a Political Code, approved March 12, 1872, said sections to be known, numbered, and designated as sections two thousand five hundred and seventy-five, two thousand five hundred and seventy-six, two thousand five hundred and seventy-seven, two thousand five hundred and seventy-eight, two thousand five hundred and seventy-nine, two thousand five hundred and eighty, two thousand five hundred and eighty-one, two thousand five hundred and eighty-two, two thousand five hundred and eighty-three, two thousand five hundred and eighty-four, two thousand five hundred and eighty-five, two thousand five hundred and eighty-six, two thousand five hundred and eighty-seven, two thousand five hundred and eighty-eight, two thousand five hundred and eighty-nine, two thousand five hundred and ninety, two thousand five hundred and ninety-one, two thousand five hundred and ninety-two, two thousand five hundred and ninety-three, two thousand five hundred and ninety-four, two thousand five hundred and ninety-five, two thousand five hundred and ninety-six, two thousand five hundred and ninety-seven, two thousand five hundred and ninety-eight, two thousand five hundred and ninety-nine, two thousand six hundred, two thousand six hundred and one, two thousand six hundred and two, two thousand six hundred and three, two thousand six hundred and four, two thousand six hundred and five, two thousand six hundred and six, two thousand six hundred and seven, and two thousand six hundred and eight, all relating to the establishing of a Board of State Harbor Commissioners for the bay of San Diego," approved March 18, 1889, relative to the salaries and pay of the officers and employés of the Harbor Commissioners of the bay of San Diego.

Also: Senate Bill No. 75—An Act to add a new section to the Political Code of the State of California, to be known and designated as section four thousand three hundred and thirty-four, relating to the duties of officers.

Also: Senate Bill No. 84—An Act to regulate the practice of pharmacy and sale of poisons in the State of California.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

WITHDRAWAL OF BILL.

Senator Campbell of Solano was granted leave to withdraw Senate Bill No. 166.

RESOLUTION—(OUT OF ORDER).

By Senator Heacock:

Resolved, That Senate Bills Nos. 414 and 463 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, upon one day, and placed upon their passage.

Resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Heacock, McComas, Ostrom, Ragsdale, Seawell, Shippee, Sprague, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—29.
NOES—Mr. Maher—1.

CASES OF URGENCY.

Senate Bill No. 414—An Act entitled "An Act to amend section four hundred and seventy-five of the Political Code," providing for clerks and a phonographic reporter in the office of the Attorney-General, and fixing their salaries.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Carpenter, Crandall, Dargie, Denison, Dray, Fraser, Goucher, Harp, Heacock, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—24.
NOES—Messrs. Everett, Flint, Mead, and Voorhies—4.

Title read and approved.

On motion of Senator Campbell of Solano, the hour for recess was extended until the matter at hand be disposed of.

Senate Bill No. 463—An Act to establish a naval battalion, to be attached to the National Guard of California.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, Denison, Everett, Flint, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Streeter, Voorhies, Welch, and Williams (Wm. H.)—28.
NOES—Messrs. Britt, Fraser, Goucher, and Wilson—4.

Title read and approved.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 691—An Act making an appropriation for the contingent expenses of the Senate for the twenty-ninth session of the Legislature.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Bill ordered to enrollment.

Senator Wm. H. Williams moved that the Senate do now adjourn.

Motion carried.

ADJOURNMENT.

At twelve o'clock and forty-five minutes P. M. the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, March 9, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator McComas moved that further reading of the Journal be dispensed with.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Senator Heacock:

Resolved, That the Assembly be respectfully requested to return to the Senate the engrossed copy of Assembly Bill No. 301, for the purpose of reconsidering the vote by which the bill finally passed the Senate, and to amend the same and correct errors therein.

Resolution adopted.

COMMUNICATION.

The following, from citizens of Vallejo:

VALLEJO, March 8, 1891.

To the honorable the Governor and Members of the Senate and Assembly in session assembled:

We earnestly pray you to pass the bills known as Senate Bills Nos. 639 and 640, now up for your mature consideration, providing for an increase of the powers and duties of the Labor Commissioner; also, providing for the creation of a Special Urgent Necessity Fund, to furnish destitute and deserving citizens with the opportunity to earn for their hungry families the necessities of life when the inclemency of the winters and the uncertainty of employment shall so arise that they would be forced to depend upon the charitably inclined for assistance. No honest American citizen should be compelled to beg for a subsistence. We beg of you to pass these measures, and enable honest men to maintain their dignity and manhood. We beseech you not to leave your unfortunate brothers to beg or steal, when it is possible to aid them in this one thing, by securing them in the opportunity to work; then if he won't work, neither should he eat; but for God's sake give him a chance before condemning him to the penalties of a tramp law. Thirty thousand dollars was necessary to give a few work last winter in San Francisco for a short time. Pass these bills and keep these men in the counties over winter where they will be needed in summer. The money will be spent in the counties, and the morals of the people will be improved, and the county roads, etc., will be kept in repair. For which we ever pray, etc. We have the honor to be citizens of this city and county, in mass meeting assembled:

Geo. D. Gillespie, Chairman; G. E. Myers, Secretary; B. Lee, O. Donnelly, H. H. Buckins, L. Richardson, Th. Simont, William Smith, Wm. Bothing, G. W. Dunmore, H. McEvoy, J. E. Anderson, G. Wilson, A. Rolson, A. Olsson, A. Fred. Seltzer, Geo. Schulze, Patrick McDonnell, F. A. Leaman, Patrick Kelly, T. P. King, J. A. Plymire, and J. W. Williams.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 110—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,'" approved March 19, 1889.

Bill read second time.

Senator Crandall moved that Senator Campbell of Solano be appointed a special committee of one to make the following amendments:

Amend by inserting in line two, section one, the following: "Section nine," and also by inserting in line two, section two, the following: "Section ten," and by inserting in the title, line one, after the word "amend," the following: "Sections nine and ten of."

So ordered.

REPORT OF COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 9, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Assembly Bill No. 110, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

GEO. J. CAMPBELL, Committee.

Report adopted.

Assembly Bill No. 110 ordered printed as amended, and on file for third reading.

Assembly Bill No. 692—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part second of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relative to a system of street improvement bonds.

Senator Carpenter moved that Senator Crandall be appointed a special committee of one to amend Assembly Bill No. 692 as follows:

Amend by striking out the title of the printed bill, and insert in lieu thereof the following: "An Act to amend an Act entitled 'An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities,' approved March 18, 1885, by adding thereto an additional part, numbered four, consisting of sections thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, and forty-four, relative to a system of street improvement bonds."

Also: Strike out section one of the printed bill, and insert in lieu thereof:

"SECTION 1. The above entitled Act is hereby amended by adding part four thereto, consisting of sections thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, and forty-four."

Also: Amend by striking out of the printed bill the word and figures "Part II," immediately following section one, and insert in lieu thereof the word and figures "Part IV."

Also: Amend by striking out of part two, line one of printed bill, the figures "27," and insert in lieu thereof the figures "38."

Also: Amend printed bill by striking out the words and figures on page two: "Section 2. Section twenty-eight of said Act is hereby amended to read as follows."

Also: By striking out of section two, line two, the figures "28," and insert in lieu thereof the figures "39."

Also: Amend printed bill by striking out the words and figures on page two: "Section 3. Section twenty-nine of said Act is hereby amended to read as follows."

Also: By striking out of section three, line two, the figures "29," and insert in lieu thereof the figures "40."

Also: Amend printed bill by striking out the words and figures on page four: "Section 4. Section thirty of said Act is hereby amended to read as follows."

Also: By striking out of section four the figures "30." on line two, and insert in lieu thereof the figures "41."

Also: Amend printed bill, page five, by striking out the words and figures: "Section 5. Section thirty-one of said Act is hereby amended to read as follows."

Also: Amend section five by striking out of line two the figures "31." and insert in lieu thereof the figures "42."

Also: Amend printed bill, page five, by striking out the words and figures: "Section 6. Section thirty-two of said Act is hereby amended to read as follows."

Also: By striking out of section six, line two, the figures "32." and insert in lieu thereof the figures "43."

Also: Amend by striking out of the printed bill, page seven, the words and figures: "Section 7. Section thirty-three of said Act is hereby amended to read as follows."

Also: By striking out of section seven the figures "33." on line two, and insert in lieu thereof the figures "44."

Also: Strike out all the words in said section of printed bill, after the word "passage," on line two.

So ordered.

REPORT OF COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 9, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Assembly Bill No. 692, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

CRANDALL, Committee.

Report of special committee adopted.

Assembly Bill No. 180—An Act to designate the quality of goods manufactured and prepared in the State of California, and to require manufacturers to stamp upon their products and manufactures the class of labor employed in their preparation.

Bill read second time.

Senator Berry moved to strike out the enacting clause.

The roll was called, and the motion adopted by the following vote:

AYES—Messrs. Berry, Carpenter, Crandall, De Long, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, Mead, Ostrom, Ragsdale, Seawell, Shippee, and Simpson—17.

NOES—Messrs. Britt, Broderick, Byrnes, Hamill, Mahoney, McComas, McGowan, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—14.

Assembly Bill No. 317—An Act to amend section one hundred and ninety-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the salary of the county officers in the counties of the thirty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 516 passed on file.

Assembly Bill No. 125—An Act to amend section six hundred and thirty-three of the Penal Code, relating to the taking of trout.

Bill read second time.

Amendments by Senator De Long:

Amend by striking out of section one, line three of printed bill, the words "except salmon trout taken;" also, on line four of the printed bill, "with rod and line in tide water."

Amendments lost.

Bill ordered on file for third reading.

Assembly Bill No. 87—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand eight hundred, three thousand eight hundred and sixteen, and three thousand eight hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Bill read second time.

Senator Crandall moved that a committee of three be appointed by the Chair to amend.

So ordered.

Chair appointed Senators Crandall, Preston, and Mead.

MOTION.

Senator Heacock moved to take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 224.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, respectfully refused to pass Senate Bill No. 41—An Act to amend section four thousand one hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the deposit of public funds.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted the report of the Committee of Free Conference, and adopted the amendment as reported by said committee on Assembly Bill No. 101—An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the redemption of land sold at tax sale.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that, in accordance with the request of the Senate, Assembly Bill No. 301 is herewith returned.

H. A. MASON, Chief Clerk.

MOTION.

Senator Heacock moved to suspend the rules, and proceed to reconsider the vote by which Assembly Bill No. 301 was finally passed, on March fifth.

The roll was called, and the motion prevailed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Flint, Fraser, Goucher, Heacock, Maher, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—31.
NOES—None.

LEAVE OF ABSENCE.

Senator Crandall asked temporary leave of absence for the special committee appointed to amend Assembly Bill No. 87.

Granted.

MOTION TO RECONSIDER.

Senator Heacock moved that the vote by which Assembly Bill No. 301 was finally passed be now reconsidered.

On roll call, the motion prevailed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Byrnes, Campbell of Siskiyou, De Long, Denison, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McGowan, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—27.
NOES—None.

Assembly Bill No. 301—An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.

Senator Heacock moved that Senator Bailey be appointed a special committee of one to make the following amendments:

Amend by striking out of section two, line twenty-five, engrossed bill, the word "ten," and inserting the following: "five."

Also: Amend by striking out of section two, line twenty-six, engrossed bill, the figures "10,000," and inserting the following: "5,000."

Also: Amend by striking out of section six, line five, engrossed bill, the words "county," and inserting the following: "country."

Also: Amend by striking out of section six, line fifty-three, engrossed bill, the word "county," and inserting the following: "country."

Also: Amend by striking out of section six, line seventy, engrossed bill, the word "of." and inserting the following: "in."

Also: Amend by striking out of section six, line one hundred and seventeen, engrossed bill, the word "county," and inserting the following: "country."

Also: Amend by striking out of section six, line one hundred and thirty-one, engrossed bill, the word "county," and inserting the following: "country."

So ordered.

REPORT OF COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 9, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Assembly Bill No. 301, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

BAILEY, Committee.

Report of special committee adopted.

The roll was called, and Assembly Bill No. 301 finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, De Long, Denison, Dray, Flint, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), and Wilson—27.
NOES—None.

Title read and approved.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 28—An Act to amend an Act entitled "An Act to establish a Political Code of the State of California."

Bill read second time.

Amendments by Senator Goucher:

Amend by striking out the printed title and inserting the following title in lieu thereof: "An Act to amend section three thousand six hundred and thirty-six of an Act to establish a Political Code, so as to provide for a list of transfers of real property, and relating to assessments of the same."

Adopted.

Also: Amend by inserting in line one, section one, after the words "thirty-six," the words "of the Political Code of the State of California."

Adopted.

Bill ordered printed as amended, and ordered on file for third reading.

RESOLUTION—(OUT OF ORDER).

By Senator Wilson:

Resolved, That Assembly Bill No. 441 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times upon one day, and placed upon its passage.

On roll call, the resolution was adopted by the following vote:

AYES—Messrs. Bailey, Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Fraser, Goucher, Hamill, Harp, Heacock, Maher, McComas, McGowan, Ostrom, Ragsdale, Seawell, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—28.
NOES—None.

Assembly Bill No. 441—An Act to amend sections eight, eighteen, twenty-one, and twenty-three of an Act entitled "An Act to incorporate the town of Red Bluff, Tehama County, California," approved March, 1876, and amended March, 1878.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Flint, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Wilson—26.
NOES—None.

Title read and approved.

Substitute for Assembly Bill No. 280—An Act making an appropriation for the Reform School for Juvenile Offenders at Whittier.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell of Siskiyou, Carpenter, Dargie, Fraser, Goucher, Hamill, Heacock, Maher, McComas, McGowan, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—23.

NOES—None.

Title read and approved.

Senator Carpenter moved that the bill be immediately transmitted to the Assembly.

So ordered.

Assembly Bill No. 471—An Act to ascertain and express the will of the people of the State of California upon the subject of requiring an educational qualification of voters.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 338—An Act to authorize Robert C. Ball to sue the State of California.

Bill read second time, and ordered on file for third reading.

REQUEST.

Senator Heacock asked leave to introduce a bill.

The roll was called, and leave granted by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—32.

NOES—None.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Senator Heacock: Senate Bill No. 693—An Act ceding to the United States of America jurisdiction over the Post Office site in San Francisco.

On motion of Senator Heacock, the bill was ordered printed and placed at the head of special file for to-morrow.

REPORT OF ASSEMBLY SPECIAL COMMITTEE.

A Special Committee of three from the Assembly, consisting of Assemblymen Barnett of San Francisco, Gould, and Harloe, reported that the Assembly had at all times considered the messages from the Senate as provided in the joint rules.

MOTION.

Senator De Long moved that Senate Bill No. 638, on urgency file, be now taken up.

So ordered.

SPECIAL FILE OF URGENCY CASES.

Senate Bill No. 638—An Act to amend section seven hundred and thirty-seven of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts of the City and County of San

Francisco, and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, and Calaveras.

Bill read third time, and finally passed by the following vote:

Ayes—Messrs. Berry, Britt, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Geo. H.), and Wilson —26.

Noes—None.

Title read and approved.

Senator De Long moved that the bill be immediately transmitted to the Assembly.

So ordered.

NOTICE OF RECONSIDERATION.

Senator Ostrom gave notice that on to-morrow he would move to reconsider the vote by which the enacting clause was stricken out of Assembly Bill No. 180 to-day.

Senator Mahoney moved that Senate Bill No. 234 be now taken up.

So ordered.

SPECIAL ORDERS.

Senate Bill No. 234—An Act to establish a standard of weights and measures.

Bill read third time.

Senator Mahoney moved a call of the Senate.

So ordered.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

On motion of Senator Everett, Senator Fraser was granted leave of absence.

On motion of Senator Ostrom, further proceedings under the call of the Senate were dispensed with.

On roll call, the bill was finally passed by the following vote:

Ayes—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, De Long, Everett, Hamill, Langford, Maher, Mahoney, McComas, McGowan, Mead, Seawell, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—22.

Noes—Messrs. Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, Denison, Flint, Goucher, Harp, Heacock, Ostrom, Shippee, and Simpson—12.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Berry gave notice that on to-morrow he would move to reconsider the vote by which Senate Bill No. 234 was finally passed.

MOTION.

Senator Ostrom moved to take up Assembly messages.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended and passed as amended, Substitute for Senate Bills Nos. 8, 57, 123, and 369—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two hundred and fifty-nine of the Political Code, and to add four new sections thereto, to be numbered one thousand two hundred and thirteen, one thousand two hundred and fourteen, one thousand two hundred and fifteen, and one thousand two hundred and sixteen, all in relation to the conduct of elections in this State.

Also: Passed Senate Bill No. 643—An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, and of all Acts amendatory thereof, as are in conflict herewith.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Senate Bill No. 643 ordered to enrollment.

MOTIONS.

Senator De Long moved that the Senate refuse to concur in Assembly amendments to substitute for Senate Bills Nos. 8, 57, 123, and 369.

Senator Ostrom moved to amend by making the consideration of the bill for to-morrow, at three o'clock and thirty minutes P. M.

Senator De Long accepted the amendment, which was carried.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 9, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 691—An Act making an appropriation for the contingent expenses of the Senate for the twenty-ninth session.

Also: Senate Bill No. 74—An Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire.

And on Saturday delivered the same to the Governor.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 652—An Act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now resident of this State, and fixing penalties and punishments for violation of this Act, and providing for deportation of criminals.

Also: Senate Bill No. 414—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for clerks and a phonographic reporter in the office of the Attorney-General, and fixing their salaries.

Also: Senate Bill No. 658—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as section two thousand one hundred, relating to official publications.

Also: Substitute for Senate Bill No. 340—An Act to repeal title sixteen of part four, division one, of the Civil Code, and to substitute a new title in place thereof, providing for the formation and government of mutual building and loan associations.

Also: Senate Bill No. 409—An Act to appropriate money for the erection of a monument in Golden Gate Park, in the City and County of San Francisco, in memory of the late General M. G. Vallejo.

Also: Senate Bill No. 463—An Act to establish a naval battalion, to be attached to the National Guard of California.

Also: Senate Bill No. 27—An Act to provide for the improvement of the Reform School at Whittier, California, for Juvenile Offenders, and make an appropriation for the same.

RAGSDALE, Chairman.

MOTION.

Senator Sprague moved that all special orders set for this hour be considered immediately after the reading of the Journal to-morrow.

So ordered.

Senator Sprague asked permission to present a petition relative to Senate Bill No. 435, and that the body of the petition be printed in the Journal.

Granted.

PRESENTATION OF PETITION.

SACRAMENTO, March 4, 1891.

To the members of the Legislature of the State of California:

The citizens and taxpayers of the city of Sacramento respectfully petition the honorable members of your Senate and Assembly, and pray that the measure known as Senate Bill No. 435, introduced in the Senate by Senator Sprague, be passed; that the interests of the city of Sacramento demand the relief which the enactment of said bill into a law will secure to us. We can safely represent that fully two thirds of the taxpayers of this city are favorable to and anxious for the passage of said bill.

Respectfully,

ONE HUNDRED AND SEVENTY-EIGHT SIGNATURES.

SPECIAL FILE OF URGENCY CASES—(RESUMED).

Senate Bill No. 142 passed on file.

President pro tem. Fraser in the chair.

Senate Bill No. 652—An Act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now resident of this State, and fixing penalties and punishments for violation of this Act, and providing for deportation of criminals.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Voorhies, Williams (Wm. H.), and Wilson—30.

NOES—None.

Title read and approved.

On motion of Senator Voorhies, the bill was ordered transmitted to the Assembly.

Senator Voorhies moved that the Governor's message be now taken up.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 9, 1891.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 282.

H. H. MARKHAM, Governor.

MOTION.

Senator Goucher moved that when the Senate take a recess it be extended until to-morrow, at ten o'clock A. M.

So ordered.

SPECIAL FILE OF URGENCY CASES—(RESUMED).

Senate Bill No. 330 passed on file.

Senate Bill No. 406 passed on file.

Senate Bill No. 409—An Act to appropriate money for the erection of monuments in Golden Gate Park, in the City and County of San Francisco, in memory of the late General M. G. Vallejo and General E. D. Baker.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Britt, Broderick, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Everett, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Preston, Ragsdale, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—Messrs. Crandall and Ostrom—2.

Title read and approved.

Substitute for Senate Bill No. 27—An Act to provide for the improvement of the Reform School at Whittier, California, for Juvenile Offenders, and make an appropriation for the same.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, Denison, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, Preston, Seawell, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—22.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 7, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 631—An Act to establish law libraries—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 567—An Act to amend section three hundred and nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to declaring dividends by Directors of corporations, and repealing section three hundred and nine of said Code—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 430—An Act to amend section one thousand eight hundred and fifty-nine of "An Act to establish a Civil Code," approved March 21, 1872, relative to innkeepers—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 671—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section fifteen thereof, relating to elections concerning the bonding of irrigation districts—have had the same under consideration, and respectfully report the same back without recommendation.

SPRAGUE, Chairman.

ADJOURNMENT.

On motion of Senator W. H. Williams, the Senate adjourned at five o'clock P. M.

IN SENATE.

SENATE CHAMBER,
Tuesday, March 10, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Berry moved that further reading of the Journal be dispensed with.

So ordered.

REPORT OF STANDING COMMITTEE.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 10, 1891.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 518—have had the same under consideration, and respectfully report the same back without recommendation.

DE LONG, Chairman.

MOTION.

Senator Campbell of Solano moved that the rules be suspended, and that the Senate now take up all the special orders.

So ordered.

SPECIAL ORDERS.

Senate Bill No. 693 passed on file temporarily.

Senate Bill No. 678—An Act to establish a uniform system of county and township governments.

Bill read second time.

AMENDMENTS.

The following amendments were submitted:

By Senator Goucher:

Strike out section ten and substitute the following:

"SEC. 10. The several counties of this State are hereby classified, and shall hereafter remain classified according to their population, as ascertained by the Federal census taken in the year 1890. And hereafter whenever a new census is taken, the Secretary of State shall, as soon as the same shall be officially ascertained by him, certify to the County Clerks of the several counties in this State the population of each county as determined by such new census; and on the even numbered years thereafter the several counties are, by operation of law, classified thereunder; but such classification shall not operate to change the government of the county then in existence until the first Monday after the first day of January next succeeding; except, that the Board of Supervisors shall provide for the election of officers and such other matters as shall be necessary to put the county government in operation on the said first Monday after the first day of January, in accordance with the new classification."

Adopted.

By Senator Campbell of Solano:

Amend by striking out of section twenty-five, line two hundred and six, the word "amount;" also, out of line two hundred and seven the word "and."

Adopted.

MOTION.

Senator Voorhies moved that the Secretary read the amendments as printed in the Journal, and they be acted upon as read.

Motion lost.

AMENDMENTS—(RESUMED).

By Senator Campbell of Solano:

Amend section twenty-five, line two hundred and sixteen, by inserting the following after the word done: "and no greater price shall be charged for similar work when done by authority of law, whether said work is done for the city, city and county, or for private individuals."

Adopted.

Also: Amend section twenty-five, line two hundred and three, by inserting the following after the word "counties:" the words "cities and counties."

Adopted.

Also: Amend section twenty-five, page fourteen, by adding after line two hundred and sixty-five the following, viz.:

"40. To appropriate from the General Fund of the county, for the purpose of securing and maintaining an adequate exhibition of the products of such county at the World's Columbian Exposition, to be held in Chicago in the year eighteen hundred and ninety-three, as follows: In counties of the first-class, not to exceed fifty thousand dollars; in counties of the second, third, fourth, and fifth classes, not to exceed forty thousand dollars, and all other classes in the State of California, not to exceed seven thousand five hundred dollars."

Roll call ordered.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Carpenter, Dargie, Denison, Dray, Goucher, Hamill, Heacock, Mahoney, McComas, McGowan, Preston, Ragsdale, Shippee, Simpson, Streeter, and Welch—19.

NOES—Messrs. Berry, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Everett, Fraser, Harp, Maher, Mead, Ostrom, Seawell, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—16.

By Senator Voorhies:

Amend section twenty-five, line two hundred and thirty-two, by inserting after the word "otherwise" the following: "*provided*, that the Boards of Supervisors shall have no power to levy or collect any license for regulation, or revenue for pasturing or grazing any live stock upon the lands belonging to the United States, or on private property."

Senator Campbell moved that the consideration of the amendment offered by Senator Voorhies be postponed until the amendments are all in.

So ordered.

By Senator Dargie:

Amend by adding a new subdivision at the end of section twenty-five, to be designated subdivision forty-one, to read as follows:

41. To grant franchises along and over the public roads and highways for all lawful purposes, upon such terms and conditions and restrictions as in their judgment may be necessary and proper, and in such manner as to present the least possible obstruction and inconvenience to the traveling public.

Adopted.

By Senator Bailey:

Amend paragraph fifteen, section one hundred and sixty-six, page fifty-three of printed bill, by inserting the following: "and five hundred dollars per annum as Road Commissioners."

Also: Amend section twenty-five, line thirty-nine, by inserting after the word "county" the following: "and to purchase or otherwise acquire the necessary real estate upon which to sink wells to obtain water for sprinkling roads, and other county purposes, and to erect thereon tanks or reservoirs for the storage of water for such purposes, and to erect pumping apparatus for obtaining the same to."

Adopted.

Also: Amend by striking out of section twenty-five, line two hundred and fifty-nine, the words "one thousand (1,000)," and inserting the following: "two thousand five hundred (2,500)."

The roll was called on the adoption of the amendment, which was lost by the following vote:

AYES—Messrs. Bailey, Britt, Byrnes, Carpenter, Dargie, De Long, Denison, Fraser, Goucher, Heacock, Maher, McComas, McGowan, Welch, and Williams (Geo. H.)—15.

NOES—Messrs. Berry, Campbell of Solano, Campbell of Siskiyou, Crandall, Dray, Hamill, Harp, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, and Wilson—17.

By Senator Campbell of Solano:

Amend by striking out sections seventy, seventy-one, and one hundred and forty-seven, on pages fourteen and fifteen.

Adopted.

Also: Amend by striking out of section twenty-nine, line three, the word "some," and inserting the following: after the word "the," the word "same."

Adopted.

By Senator Berry:

Amend section thirty-six, page seventeen, by renumbering and making "section thirty-six" read "section thirty-five."

Adopted.

By Senator Goucher:

Amend section fifty-one by adding thereto: "and before allowance, such claims must be presented to the District Attorney, who must indorse thereon, in writing, his opinion as to the legality thereof; if the District Attorney declare the claim illegal, he must state specifically wherein it is illegal, and the claim must then be rejected by said Board."

Adopted.

By Senator Campbell of Solano:

Amend section fifty-eight, line eight, by inserting the following: After the word "they" the word "may;" also, after the word "deem," the word "it."

Adopted.

Also: Amend section sixty, line two, by inserting the following: After the word "Assessors," the words "except as otherwise provided for in this Act."

Adopted.

Also: Amend by striking out of section seventy-seven, line four, the word "in," and inserting the following: After the word "moneys," the word "into."

Adopted.

On motion of Senator De Long, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 659—An Act to authorize the State Prison Directors of the State of California to employ any unemployed prisoners to construct roads to the State Prison at San Quentin.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Assembly Bill No. 659 ordered on special file for Assembly Bills.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted the following resolution:

Resolved, That the Senate be respectfully requested to return to the Assembly the engrossed copy of substitute for Senate Bills Nos. 8, 57, 123, and 369, for the purpose of reconsidering the vote by which the bill finally passed the Assembly, and to amend the same.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Senator De Long moved that the Senate return substitute for Senate Bills Nos. 8, 57, 123, and 369 to the Assembly.

So ordered.

AMENDMENTS TO SENATE BILL No. 678—(RESUMED).

By Senator Campbell of Solano:

Amend section ninety-two, line two, by inserting the following: After the word "of," the word "the."

Adopted.

Also: Amend section ninety-three, line eleven, by inserting the following: After the word "charge," the word "of."

Adopted.

By Senator Dray:

Amend by inserting in section ninety-seven, page twenty-nine, line two, after the word "attorney," the following words: "the fees having first been paid or tendered."

Adopted.

Also: Amend by striking out of section one hundred and seventeen, line five, the word "uncanceled," and inserting the following after the word "remained:" the words "uncalled for."

Adopted.

Also: Amend by striking out of section one hundred and twenty-five, line fifty-eight, the words "where recorded."

Adopted.

By Senator Fraser:

Amend section one hundred and twenty-five by adding a new subdivision, to be numbered twenty-two, to read as follows:

"An Index of Decrees of Distribution in Probate," labeled "Decrees of Distribution," divided into six columns, headed, respectively, "Whose Estate," "Name of Administrator," "Names of Distributees," "Date of Decree," "In What Court," "Where Recorded;" and amend by making subdivision twenty-two read twenty-three.

Adopted.

By Senator Heacock:

Amend line one, section one hundred and thirty-two, by striking out the words "may, at his option," and insert at the commencement of the section the words "it shall be the duty of."

Adopted.

Also: Add at the end of section one hundred and thirty-two, the following: "and it shall be further his duty to take and certify the acknowledgment of all instruments authorized by law to be acknowledged."

Adopted.

Also: Amend subdivision four, section one hundred and thirty-three, by striking out of line ten the words "after he has consented so to do."

Adopted.

By Senator Campbell of Solano:

Amend section one hundred and fifty-eight by inserting the following after line five: the words "or as otherwise provided for in this Act."

Adopted.

By Senator Carpenter:

Amend by striking out of section one hundred and sixty-four, line seven, the words "three thousand six hundred," and insert "four thousand."

Adopted.

Also: Amend by striking out of section one hundred and sixty-four, line thirteen, subdivision ten, all after the word "administrator," and insert in lieu thereof, "three thousand dollars."

Adopted.

Also: Amend by striking out of section one hundred and sixty-four, line one hundred and thirty-two, the word "twenty," and in line one hundred and thirty-three the word "five," and insert in lieu thereof "fifty."

Adopted.

By Senator Bailey:

Amend paragraph fifteen, section one hundred and sixty-six, page fifty-three of printed bill, by inserting the following: "and five hundred dollars per annum as Road Commissioners."

Adopted.

Also: Amend section twenty-five, line thirty-nine, by inserting after the word "county" the following: "and to purchase or otherwise acquire the necessary real estate upon which to sink wells to obtain water for sprinkling roads, and other county purposes, and to erect thereon tanks or reservoirs for the storage of water for such purposes, and to erect pumping apparatus for obtaining the same to."

Adopted.

Also: Amend section one hundred and sixty-six, line twenty-eight, by adding after the word "year," in said line twenty-eight, the following: "for services in criminal cases."

Adopted.

Also: Amend by striking out of section one hundred and sixty-six, line nine, the words "twelve hundred (1,200)," and inserting the following: "two thousand (2,000)."

Adopted.

Also: Amend by striking out of section one hundred and sixty-six, line eight, the words "seven thousand," and inserting the following: "sixty-five hundred."

Adopted.

Also: Amend section twenty-five, line two hundred and fifty-nine, page fourteen, after the word "exceed," by inserting the following: "in counties of the first, second, third, and fourth classes, the sum of twenty-five hundred dollars, and in all other counties."

Adopted.

RESOLUTION—(OUT OF ORDER).

At twelve o'clock M. the following resolution was submitted by Senator Heacock:

WHEREAS, The Hon. George Hearst, the Senator in Congress from the State of California, elected for the term of six years, commencing March 4, 1887, died on the twenty-eighth day of February, 1891; and whereas, the House was officially, on the second day of March, 1891, by the Governor of this State, through his message transmitted to the Senate, duly notified of said death; now, therefore, be it

Resolved, That the Senate do proceed to name, by viva voce vote, a person for Senator in Congress from the State of California to fill the vacancy and the unexpired term caused by the said death of the Hon. George Hearst, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866.

Adopted.

The President of the Senate then directed the Secretary to read the Act of Congress, as follows:

Title two, chapter one, United States Revised Statutes—An Act to regulate the time and manner of holding elections for Senator in Congress, approved July 25, 1866.

SECTION 14. The Legislature of each State, which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

SEC. 15. Such election shall be conducted in the following manner: Each House shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for, who received a majority of the whole number of votes cast in each House, shall be entered on the Journal of that House by the Clerk or Secretary thereof, or if either of them fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock M. of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in joint assembly, and the Journal of each House shall then be read, and if the same person has received a majority of all the votes in each House, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes of each House, or if either House has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a viva voce vote of each member present, a person for Senator, and the person who receives the majority of all the votes of the joint assembly, a majority of all the members elected to both Houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the joint assembly shall meet at twelve o'clock M. of each succeeding day during the session of the Legislature, and shall take at least one vote until a Senator is elected.

SEC. 16. Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State, a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized and has notice of such vacancy.

SEC. 18. It shall be the duty of the Executive of the State from which any Senator has been chosen, to certify his election, under the seal of the State, to the President of the Senate of the United States.

SEC. 19. The certificate mentioned in the preceding section shall be countersigned by the Secretary of State of the State.

CALL OF THE SENATE.

Senator Crandall moved a call of the Senate.

So ordered.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

On motion of Senator Crandall, further proceedings under the call of the Senate were dispensed with.

NOMINATIONS FOR UNITED STATES SENATOR.

The President of the Senate announced that nominations were now in order for a United States Senator for the unexpired term, occasioned by the death of Senator George Hearst.

Senator Dargie nominated Hon. M. H. De Young of San Francisco.

Senator Fraser nominated Hon. G. G. Blanchard of El Dorado.

Senator Crandall nominated Hon. Chas. N. Felton of San Mateo.

Senator Dray nominated Hon. Wm. Johnston of Sacramento.

On motion of Senator Heacock, the hour for recess was continued until after the vote for United States Senator be taken.

Senator McGowan nominated Hon. Morris M. Estee of Napa.

Senator Seawell nominated Senator D. A. Ostrom of Yuba.

Senator Preston seconded the nomination of Hon. G. G. Blanchard of El Dorado.

Senator McComas seconded the nomination of Hon. Morris M. Estee of Napa.

The President of the Senate declared nominations closed, and in accordance with the requirements of the section of the Act above quoted,

the Secretary called the roll of the Senate, and each Senator announced the name of the person for whom he voted, as follows:

For De Young—Senators Broderick, Dargie, Maher, and Williams (Geo. H.)—4.
For Blanchard—Senators Fraser, Preston, and Voorhies—3.
For Felton—Senators Banks, Crandall, De Long, Everett, Mahoney, Simpson, and Streeter—7.
For Johnston—Senators Denison and Dray—2.
For Estee—Senators Bailey, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Flint, Heacock, McComas, McGowan, Ragsdale, Shippee, and Sprague—12.
For Ostrom—Senators Berry, Britt, Goucher, Hamill, Harp, Langford, Mead, Seawell, Welch, and Wilson—10.
For Goucher—Senator Ostrom—1.
For Coleman—Senator Williams (Wm. H.)—1.

Whole number of votes cast	40
Mr. De Young received	4
Mr. Blanchard received	3
Mr. Felton received	7
Mr. Johnston received	2
Mr. Estee received	12
Mr. Ostrom received	10
Mr. Goucher received	1
Mr. Coleman received	1

RESOLUTION—(OUT OF ORDER).

By Senator Heacock:

Resolved, That the Secretary forthwith inform the Assembly of the vote for United States Senator, in this House, to fill the vacancy caused by the death of the Hon. George Hearst, the Senator in Congress from the State of California, and that the Senate will meet with the Assembly in the Assembly Chamber to-morrow, Wednesday, March eleventh, at twelve o'clock M., in joint assembly, for the purpose of electing a United States Senator to fill said vacancy, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866.

Adopted.

RECESS.

At one o'clock P. M., on motion of Senator Preston, the Senate took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the Senate reassembled.
Hon. J. B. Reddick, President of the Senate, in the chair.
Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 110 passed on file.
Assembly Bill No. 180 passed temporarily on file.
Substitute for Assembly Bill No. 317—An Act to amend section one hundred and ninety-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March

14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the salary of the county officers in the counties of the thirty-fifth class.

Read third time, and finally passed by the following vote:

Ayes—Messrs. Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, and Williams (Wm. H.)—29.
Noes—Mr. Crandall—1.

Title read and approved.

On motion of Senator Goucher, the bill was ordered immediately transmitted to the Assembly.

Assembly Bill No. 561—An Act making appropriations for the support of the government of the State of California for the forty-third and forty-fourth fiscal years.

Passed temporarily on file.

Assembly Bill No. 125—An Act to amend section six hundred and thirty-three of the Penal Code, relating to the taking of trout.

Bill read third time, and finally passed by the following vote:

Ayes—Messrs. Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—32.
Noes—None.

Title read and approved.

Substitute for Assembly Bill No. 87—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand eight hundred, three thousand eight hundred and sixteen, and three thousand eight hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Bill read first time, and on motion of Senator Crandall was adopted as a substitute for Assembly Bill No. 87.

Assembly Bill No. 28—An Act to amend an Act entitled "An Act to establish a Political Code of the State of California."

Bill read third time, and finally passed by the following vote:

Ayes—Messrs. Banks, Berry, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Streeter, Williams (Wm. H.), and Wilson—28.
Noes—None.

Title read and approved, as amended.

On motion of Senator Goucher, the bill was ordered immediately transmitted to the Assembly.

Assembly Bill No. 692 passed temporarily on file.

Assembly Bill No. 471—An Act to ascertain and express the will of the people of the State of California upon the subject of requiring an educational qualification of voters.

Bill read third time.

PRESENTATION OF PETITIONS.

Senator Campbell of Siskiyou presented petitions with three hundred names, relative to Assembly Bill No. 471.

SPECIAL FILE OF ASSEMBLY BILLS—(RESUMED).

On roll call, the bill was finally passed by the following vote:

AYES—Messrs. Banks, Berry, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Langford, Maher, McComas, McGowan, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Geo. H.), and Wilson—25.

NOES—Messrs. Britt, Carpenter, Goucher, Hamill, Harp, Mahoney, Seawell, Welch, and Williams (Wm. H.)—9.

Title read and approved.

Senator Goucher gave notice that on to-morrow he would move to reconsider the vote by which Assembly Bill No. 471 finally passed.

Assembly Bill No. 338—An Act to authorize Robert C. Ball to sue the State of California.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Campbell of Siskiyou, Carpenter, Crandall, De Long, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Preston, Seawell, Shippee, Simpson, Streeter, Welch, Williams (Wm H.), and Williams (Geo. H.)—25.

NOES—Messrs. Langford and Ostrom—2.

Title read and approved.

Assembly Bill No. 670—An Act to define the boundary and provide for the government of Levee District No. 6, of Sutter County, California.

Bill read first time.

Assembly Bill No. 692—An Act to amend sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, and thirty-three, the same comprising part second of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relative to a system of street improvement bonds.

The bill having been read the third time on a previous day, the roll was called, and Assembly Bill No. 692 was finally passed by the following vote:

AYES—Messrs. Banks, Berry, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, Mead, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Wilson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted immediately to the Assembly.

MOTION.

Senator Ostrom moved that the special order set for three o'clock and thirty minutes P. M. to-day be reset for ten o'clock and thirty minutes A. M. to-morrow, and that it precede the consideration of all other bills.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Senator Wilson:

Resolved, That Senate Bill No. 475 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Campbell of Siskiyou, Crandall, Dargie, De Long, Dray, Everett, Flint, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—29.

NOES—Mr. Sprague—1.

Senator De Long objected to the consideration of the bill at this time.

On roll call, the Senate refused to consider the bill on this day, by the following vote:

AYES—Messrs. Berry, Britt, Crandall, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Williams (Wm. H.), and Wilson—18.

NOES—Messrs. Banks, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Everett, Flint, Preston, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—14.

MOTION.

Senator W. H. Williams moved to take up the Governor's message.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 10, 1891.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 23, 24, 92, 149, 464, 66, 176, 143, 67, 81, 45, 113, 116, 196, 197, 331, 384, 565, 108, 75, 227, 585, 74, and 691.

H. H. MARKHAM, Governor.

AMENDMENTS TO SENATE BILL No. 678—(RESUMED).

By Senator Carpenter:

Amend by striking out of section one hundred and sixty-four, line forty-four, after the word "Supervisors," the words "five dollars per diem and mileage," and inserting the following: "one thousand eight hundred dollars per annum."

Adopted.

Also: Amend by striking out of section one hundred and sixty-four, line one hundred and forty-seven, the words "sixty-six and two thirds," and inserting the following: "fifty."

Adopted.

Also: Amend section one hundred and sixty-four, line one hundred and forty-seven, by inserting the following after the word "month:" "also, three deputies at a salary not to exceed one hundred dollars per month."

Adopted.

By Senator Dray:

Amend by adding to section one hundred and sixty-seven, line four, the words: "and such fees and mileage as are now or hereafter may be provided by law for all services done or performed in actions coming from another county, and for all criminal service necessarily performed outside of his county, and all necessary expense incurred in arresting and conveying prisoners before a Court or to prison, and shall have such fees and reasonable expenses incurred in taking and keeping property seized under attachment or levied on under execution; *provided*, that the keeper's fees shall not exceed three dollars per day of twelve hours, except when it becomes necessary to keep a place of business open in the night, in which case he shall be allowed additional keeper's fees, to be fixed by the Court from which the writ issued under which the property was taken."

Adopted.

Senator Ragsdale moved to amend by striking out of section one hundred and sixty-nine, line twenty-one to and including line fifty-six, and inserting the following:

14. Constables shall receive, for their own use and benefit, the following fees, which shall be in full of all compensation for such service as is now or may be hereafter required of them by law: For serving a summons and complaint, or any other process by which an action or proceeding is commenced, on each defendant, fifty cents. For serving an attachment on property, or levying an execution, or executing an order of arrest, or order for the delivery of personal property, one dollar. For his trouble and expense in taking possession of and preserving property under attachment or execution, or other process, as the Court shall order (provided no more than two dollars per diem shall be allowed to a keeper), three dollars. For taking a bond or undertaking in any case he is authorized to take the same, fifty cents. For copy of any writ or process, or other paper, when demanded or required by law, for each folio, fifteen cents. For serving every notice, rule, or order, twenty-five cents. For advertising property for sale under execution or any judgment or order of sale, exclusive of the cost of publication, each, fifty cents. For serving a writ of possession or restitution, putting a person in possession of premises, and removing the occupant, two dollars. For holding each inquest or trial of right of property, to include all service in the matter, except mileage, two dollars. For serving subpœnas, for each witness served, twenty-five cents. For traveling to serve any summons and complaint, or any other process by which an action or proceeding is commenced, notice, rule, order, subpœna, attachment on property, to levy an execution, to post notices of sale, to sell property under execution or other order of sale, to execute an order for the delivery of personal property, writ of possession or restitution, to hold an inquest or trial of the right of property, or in executing a writ of habeas corpus, for each mile necessarily traveled, to the most distant point where service is made, thirty cents; *provided*, that if any two or more papers be required to be served in the same suit, at the same time, and in the same direction, one mileage only shall be charged to the most distant point to complete the service. For commission for receiving and paying over money on execution or other process when lands or other personal property have been levied on or sold, on the first one hundred dollars, two per cent, and on all sums above that amount, one per cent. For executing a certificate of sale, fifty cents. The fees herein allowed shall be collected from the judgment debtor. For making every arrest in a criminal action, other than on a charge of felony, one dollar. For making every arrest on a charge of felony, one dollar and fifty cents. For summoning a jury of twelve or less persons, two dollars; for each extra juryman over and above twelve, twenty-five cents. For every mile necessarily traveled in executing any warrant of arrest, serving subpœnas, bringing up a prisoner on habeas corpus, taking a prisoner to jail by order of any Court, to the most distant point within the Constable's own county, thirty cents; *provided*, that when two or more persons, or two or more papers in the same case are served at the same time, or in the same direction, or on the same trip, but one mileage shall be charged to the most distant point of service. For conveying a prisoner when under arrest, the necessary expense actually paid for the transportation of the prisoner.

Constables shall not make any arrest or serve any paper in a criminal case on any person outside of their own county, without first obtaining the written consent and order of the District Attorney of their county to do and perform such service as aforesaid.

15. Supervisors, for all services required of them by law or by virtue of their office, must be allowed six dollars ($6) per day, and thirty cents per mile, in traveling from their place of residence to the Court House; *provided*, that only one mileage must be allowed at each term; *and provided further*, that no Supervisor must be allowed more than one day's pay for any one day by reason of his being on the committees appointed by the Board of Supervisors, or for any other cause; *provided*, that in no case shall the per diem of the Supervisors exceed eight hundred dollars ($800) each in one year.

Adopted.

Also: Amend by striking out of section one hundred and sixty-nine, line four, the word "eighteen," and inserting the following: "two thousand."

Adopted.

Also: Amend by adding in line seven, section one hundred and sixty-nine, after the word "Sheriffs," the words: "one of whom shall be Jailer."

Adopted.

Also: Amend by striking out of section one hundred and sixty-nine, line thirteen, the word "four," and inserting the following: "six."

Adopted.

Also: In same line amend by striking out the word "five" and inserting the word "three."

Adopted.

By Senator Goucher:

Amend section one hundred and seventy, subdivision thirteen, page fifty-seven of printed bill, by inserting after the word "parties," on line nineteen, the following: "to be paid in monthly installments, not to exceed one hundred and twenty-five dollars in any one month." Strike out the last nine words on line twenty-three.

Adopted.

Also: Amend subdivision fourteen, same section, on line twenty-seven, page fifty-seven of printed bill, by inserting after the word "parties" the following: "to be paid in monthly installments, not to exceed one hundred and twenty-five dollars in any one month." Strike out the last nine words on lines thirty-nine and forty.

Adopted.

Also: Amend section one hundred and seventy, subdivision fifteen, on page fifty-seven, line forty-two of printed bill, by adding thereto the following: "*provided*, that from and after the passage of this Act, no Supervisor shall receive more than six days' compensation in any one month, whether for services rendered as Supervisor or Road Commissioner, unless the Board of Supervisors pass a resolution that further time is required (stating the amount) in which to transact the business of the county for such month, which resolution must be in writing and presented to the District Attorney for his approval or disapproval, which must be indorsed thereon; if he disapprove the same, no further compensation can be drawn by any Supervisor for such month; if he approve the same, the Supervisors shall be entitled to additional compensation at the same per diem, as above mentioned, for such additional time as may be required to transact the business of the county, not to exceed the number of days set forth in said resolution."

Adopted.

Also: Amend section one hundred and seventy, subdivision seventeen, by inserting on line sixty-eight, page fifty-eight of the printed bill, between the words "month" and "he," at end of line, the following: "and a comparing deputy at a salary of one hundred dollars per month."

Adopted.

Also: Amend section one hundred and seventy, subdivision twenty on page fifty-nine, line ninety-five of printed bill, by striking out the words "one deputy" and inserting in lieu thereof the words "three deputies." After the word "month," and before the word "and," on same line, insert the word "each."

Adopted.

Also: Amend section one hundred and seventy, subdivision twenty-one, on page fifty-nine, line ninety-nine of printed bill, by inserting between the words "appoint" and "an," the following: "an Assistant District Attorney at a salary of twenty-four hundred dollars per annum."

Adopted.

Also: Amend section one hundred and seventy, on page sixty of printed bill, by adding thereto:

"25. Each of the Superior Judges shall receive from the county the sum of fifty dollars per month for stamps, stationery, and such clerical assistance as he may require at chambers to enable him to properly perform the duties of his office."

Adopted.

Also: Amend section one hundred and seventy by adding thereto the following: "The officers named in sections fifty-seven and one hundred and seventy of this Act, except three Supervisors, shall be elected in the year eighteen hundred and ninety-two, and shall hold office for the period of four years from the first Monday in January thereafter; but this provision shall not change the time of election nor the expiration of the term of Supervisors, Assessors, and Superintendents.

Adopted.

Also: Strike out of section one hundred and seventy, line five, the word "seven," and insert the following: "eight."

Adopted.

Also: Amend by striking out of section one hundred and seventy, line one hundred and two, the word "must," and inserting the following: "may."

Adopted.

Also: Amend section one hundred and seventy, subdivision twenty-three, page fifty-nine, by striking out of line one hundred and five the following words: "assistants, deputies, and clerks in."

Adopted.

Also: In line one hundred and seven, on page fifty-nine, same section, strike out the word "such," and insert in lieu thereof the word "all."

Adopted.

By Senator Campbell of Solano:

Amend by striking out of section one hundred and seventy-one, lines four, twenty-five, and twenty-six, the words: line four, "five thousand five hundred;" line twenty-five, "one thousand;" line twenty-six, "one assistant deputy at a salary of nine hundred dollars per annum:" and inserting the following: line four, "three thousand six hundred;" line twenty-five, "nine hundred."

Adopted.

Also: Amend by striking out of section one hundred and seventy-one, lines twenty-seven, twenty-eight, twenty-nine, and thirty-two, the words: line twenty-seven, "two deputies;" line twenty-eight, "each" (at beginning of line twenty-eight); line twenty-nine, "one thousand two hundred;" line thirty-two, "July;" and inserting the following: line twenty-seven, "one deputy;" line twenty-nine, "one thousand five hundred;" line thirty-two, "June."

Adopted.

Also: Amend section one hundred and seventy-one, line thirty-five, by inserting the following after the word "him:" "and shall convey all taxes collected by him into the County Treasury on or before the first Monday in July of each year."

Adopted.

Also: Amend by striking out of section one hundred and seventy-one, lines forty-one, forty-two, and forty-three, the words: line forty-one, "one thousand;" lines forty-two and forty-three, "one assistant jailer, who shall receive a salary of nine hundred dollars per annum," and insert the following: line forty-one, "nine hundred."

Adopted.

Also: Amend by striking out of section one hundred and seventy-two, line four, the words "seven thousand," and inserting the following: "forty-five hundred."

Adopted.

Also: Amend by striking out of section one hundred and seventy-two, line eight, the word "fifteen," and inserting the following: "eighteen."

Adopted.

Also: Amend by striking out of section one hundred and seventy-two, line nine, the word "three," and inserting the word "two."

Adopted.

Also: Amend by striking out of section one hundred and seventy-two, line twelve, the words "four hundred dollars," and inserting the following: "five hundred dollars."

Adopted.

Also: Amend by striking out of section one hundred and seventy-two, line thirteen, the words "four hundred," and inserting the following: "six hundred."

Adopted.

Also: Amend by striking out of section one hundred and seventy-two, line nineteen, the word "the;" also, the words "of three," and inserting the following: In place of the word "the," the word "a;" also, to insert after the word "of," the words "not exceeding ten."

Adopted.

Also: Amend section one hundred and seventy-two, line twenty-one, by inserting the following after the word "traveled:" "going one way."

Adopted.

Also: Amend section one hundred and seventy-two by inserting the following after line twenty-two: "and actual railroad fare for prisoners."

Adopted.

Also: Amend by striking out of section one hundred and seventy-five, line eighty-nine, the words "a sum not exceeding twenty-five cents per day for each prisoner," and inserting the following after the word "prisoners:" "such sums as the Board of Supervisors may deem necessary."

Adopted.

Also: Amend by striking out of section one hundred and seventy-five the lines beginning at line ninety-one to line one hundred and forty-seven, inclusive, and inserting the following:

FEES OF COUNTY CLERK.

For issuing marriage licenses, two dollars; one half of which shall be paid to the County Recorder. For filing articles of incorporation, fifteen cents; and for indexing each name, fifteen cents. For filing certificates of copartnership, fifteen cents; and for

indexing each name, fifteen cents. For all certificates under seal, fifty cents. For all other services, the same fees as are allowed him for similar services in the Superior Court. The Clerk of the Board of Supervisors shall receive for issuing each bridge or ferry license, one dollar. For copy of any paper, order, ordinance, or franchise, twenty cents per folio. At the commencement of each suit or proceeding, the Clerk shall be entitled to demand and receive from the plaintiff, or petitioner, not to exceed the sum of ten dollars, to cover the costs to the time of judgment, or final decree, or order; and the defendant, three dollars, to cover costs for the same time. If, in the progress of the action or proceeding, the sum allowed the Clerk should be insufficient, he shall be entitled to demand from either party such further sum as may be deemed necessary to cover costs to the time of judgment, final decree, or order, including the entry thereof. Any excess of fees advanced by either party, on the determination of the action or proceeding, shall be returned by the Clerk to the party who advanced them, on demand. The Clerk of the Superior Court shall receive for entering each suit or proceeding, on the Clerk's register of actions, or register of proceedings, and for making the necessary entries therein during the progress of the suit or proceeding, and of the trial and subsequent proceedings, for the first folio, fifty cents; for each subsequent folio, fifteen cents. For issuing every writ or process, under seal, fifty cents, except the writ of habeas corpus. For issuing each subpœna for one or more witnesses, fifty cents. For filing each paper, fifteen cents. For entering every motion and order, rule, default, discontinuance, dismissal, or nonsuit, per folio, twenty-five cents, when the same contains one folio or less; for each additional folio in excess of one, twenty cents. For calling and swearing every jury voir dire, fifty cents. For calling and swearing every jury to try cause, forty cents. For receiving and entering each verdict of a jury, fifty cents. For entering every cause, or proceeding, on the calendar, twenty cents. For entering every final judgment, for the first folio, fifty cents; for each subsequent folio, fifteen cents. For making up and filing judgment roll, twenty-five cents. For each entry of judgment on judgment docket, twenty-five cents. For entering satisfaction or credit on judgment docket, twenty-five cents. For administering every oath or affirmation, twenty-five cents. For certifying the same, twenty cents. For copy of any proceeding, record, or paper, per folio, fifteen cents. For every certificate under seal, fifty cents. For issuing every commission to take testimony, one dollar. For writing down testimony of witnesses during trial, for each folio (to be paid by the party requiring the same), fifteen cents. For issuing every execution or other final process, under seal, fifty cents. For copy of every decree or order of sale of mortgaged property, for each folio, fifteen cents. For receiving and filing every remittitur from Supreme Court, and accompanying papers, fifty cents. For taking and approving each undertaking or bond, fifty cents. For taking justification thereto, twenty-five cents. For taking testimony on justification, or undertaking, or bond, for each folio, twenty cents. For taking acknowledgment of deed or other instrument, to include all writing and the seal, for the first name thereto, fifty cents; for each additional name, twenty-five cents. For indexing every suit in the general index of the Court, as required by law, for each name, twenty cents. For filing and entering papers on transfer of cases from other Courts, two dollars. For transmission of files, or transfer of cases to other Courts, including certificates of order of transfer, two dollars. For searching records or files of each year, except for suitors or their attorneys, fifty cents. For filing all papers on appeal from Justice's Courts, for each case, two dollars. For writing and posting each notice required, twenty-five cents. For each notice for publication, in addition to the cost of publication, twenty-five cents. For recording papers required by law to be recorded, for each folio, fifteen cents; for indexing the same, twenty cents. For recording the testimony and commitment upon examination of insane persons, when it is ascertained by the Judge of the Superior Court that the person committed has sufficient property to pay the expenses of his or her commitment, per folio, fifteen cents. For filing all papers to be kept by him, not required to be recorded, ten cents; for indexing same, for each name, ten cents. For issuing a license required by law, one dollar; *provided*, that no fees shall be charged by the Clerk for affidavit or certificate for or in behalf of a United States pension applicant. For issuing letters testamentary or of administration, fifty cents. For filing and registering each claim on register of claims, twenty-five cents.

Adopted.

Also: Amend by striking out of section seventy-seven, line four, the word "in," and inserting the following: After the word moneys, the word "into."

Adopted.

Also: Amend section one hundred and seventy-eight, line two hundred and forty-one, by inserting the following after the word who: the words "is subpœnaed to."

Adopted.

Also: Amend by striking out of section one hundred and seventy-eight, line two hundred and forty-two, the word "serves," and inserting the following: in line two hundred

and forty-two the word "serve;" also, to insert after the word "Peace" the words "or Superior Court;" also, in line two hundred and forty-three, to insert the word "five" after the word "twenty."

Adopted.

Also: Amend section one hundred and seventy-nine, line five, by inserting the following after the word "thousand:" the words "five hundred."

Adopted.

Also: Amend section one hundred and seventy-nine, lines five, eleven, and fourteen, by striking out in line eleven the words "five hundred;" in line fourteen the words "two thousand," and inserting the following: line five, after the word "thousand," the words "five hundred;" after the word "schools," line fourteen, the words "sixteen hundred."

Adopted.

By Senator Seawell:

Amend section one hundred and seventy-nine, line five, subdivision two, by inserting the following: after the word "thousand" the words "five hundred."

Adopted.

Also: Amend by striking out of section one hundred and seventy-nine, line nine, subdivision six, the words "one thousand."

Adopted.

Also: Amend by striking out of section one hundred and seventy-nine, line eleven, subdivision eight, the words "five hundred."

Adopted.

Also: Amend section one hundred and seventy-nine, line fourteen, by striking out the words "two thousand" and insert "sixteen hundred."

Adopted.

Also: Amend section one hundred and seventy-nine, line nineteen, subdivision fifteen, by inserting the following after the word "from:" "their."

Adopted.

Also: Amend section one hundred and seventy-nine by inserting the following after line nineteen: "The Boards of Supervisors of counties of the seventeenth class may authorize, by an order in open session of said Board, the officers named in section one hundred and seventy-nine of this Act, to employ such additional assistants or deputies as they may deem necessary for the transaction of the public business, and fix the compensation of such assistants or deputies, and the same shall be a county charge."

Adopted.

Also: Amend section one hundred and seventy-nine by adding thereto the following: "The officers named in section one hundred and seventy-nine of this Act, except three Supervisors, shall be elected in the year eighteen hundred and ninety-four, and shall hold office for the period of four years from the first Monday in January thereafter; but this provision shall not change the time of election nor the expiration of the terms of Supervisors."

Adopted.

By Senator Preston:

Amend by striking out of section one hundred and eighty, line five, the words "five thousand five hundred;" line six, the words "three thousand;" line seven, the words

"three hundred;" line ten, the words "four thousand five hundred;" line eleven, the words "two thousand;" line fourteen, the words "one thousand eight hundred," and inserting the following: Line five, the words "six thousand;" line six, the words "three thousand two hundred;" line seven, the words "six thousand;" line ten, the words "five thousand five hundred;" line eleven, the words "two thousand five hundred;" line fourteen, the words "two thousand."

Adopted.

By Senator Fraser:

Amend section one hundred and eighty-four by striking out of line four the word "two," and insert "seven."

Adopted.

Also: Amend section one hundred and eighty-four by striking out of line nine the words "five hundred."

Adopted.

Also: Amend section one hundred and eighty-four by adding thereto the following: "The officers named in section one hundred and eighty-four of this Act, except three Supervisors, shall be elected in the year eighteen hundred and ninety-four, and shall hold office for the period of four years from the first Monday in January thereafter; but this provision shall not change the time of election nor the expiration of the terms of Supervisors."

Adopted.

Also: Amend section one hundred and ninety-six, line fourteen, by inserting the following: after the word "eighteen," the word "hundred."

Adopted.

By Senator Fraser:

Amend section one hundred and ninety-nine by striking out of line eleven the word "eighteen," and inserting in lieu thereof "fifteen."

Adopted.

Also: Amend section one hundred and ninety-nine by adding thereto the following: "The officers named in section one hundred and ninety-nine of this Act, except three Supervisors, shall be elected in the year eighteen hundred and ninety-four, and shall hold office for the period of four years from the first Monday in January thereafter; but this provision shall not change the time of election nor the expiration of the terms of Supervisors."

Adopted.

By Senator Mead:

Amend by striking out of section two hundred and six, line five, all after the word "and," and inserting the following: "twenty-five cents mileage, in going only."

Adopted.

Also: Amend by striking out of section two hundred and six, line eight, the words "one hundred and fifty."

Adopted.

By Senator Seawell:

Amend section two hundred and two, line twenty-four, subdivision sixteen, by adding after the word "Court" the following: "this subdivision shall take effect on the first day of January, eighteen hundred and ninety-two.

Adopted.

By Senator Campbell of Solano:

Amend by striking out of section two hundred and three, line four, the words "two thousand four hundred," and inserting the following: "one thousand six hundred."

Adopted.

Also: Amend by striking out of section two hundred and three, line five, the words "five thousand five hundred," and inserting the following: "three thousand five hundred."

Adopted.

Also: Amend by striking out of section two hundred and three, line six, the words "one thousand five hundred," and inserting the following: "nine hundred."

Adopted.

Also: Amend by striking out of section two hundred and three, line seven, the words "eighteen hundred," and inserting the following: "five hundred."

Adopted.

Also: Amend by striking out of section two hundred and three, line eight, the words "one thousand six hundred," and inserting the following: "one thousand."

Adopted:

Also: Amend by striking out of section two hundred and three, line nine, the words "one thousand two hundred," and inserting the following: "five hundred."

Adopted.

Also: Amend by striking out of section two hundred and three, line ten, the words "three thousand two hundred," and inserting the following: "two thousand."

Adopted.

Also: Amend by striking out of section two hundred and three, line eleven, the words "two thousand," and inserting the following: "one thousand six hundred."

Adopted.

Also: Amend by striking out of section two hundred and three, line twenty-one, the word "six," and inserting the following: "five."

Adopted.

Also: Amend section two hundred and eleven, line four, by inserting the following: after the word "thousand" the words "two hundred."

Adopted.

Also: Amend section two hundred and sixteen, line twelve, by inserting the following: after the word "boarded," the words "if not otherwise provided for in this Act."

Adopted.

By Senator McGowan:

Amend by inserting in section two hundred and sixteen, line twenty-four, after the word "thirty-ninth," the following: "fifty-first."

Adopted.

By Senator Goucher:

Amend section two hundred and ten by adding thereto the following: "The officers named in section two hundred and ten of this Act, except three Supervisors, shall be elected in the year eighteen hundred and ninety-four, and shall hold office for the period of four years from the first Monday in January thereafter; but this provision shall not change the time of election nor the expiration of the terms of Supervisors, Assessors, and Superintendents of Schools."

Adopted.

By Senator Hamill:

Amend section twenty-five, subdivision forty, by adding thereto the following: "*provided*, that where franchises are granted for the purpose of constructing and operating street railroads, such street railroads must keep the entire roadbed of the entire street or streets through which the proposed street railroad is to be constructed, in good condition and repair, and to the satisfaction of the Board of Supervisors granting such franchise, and of their successors in office.

Amendment lost.

By Senator Carpenter:

Amend by striking out of section two hundred and sixteen, line twenty-one, the word "second."

Adopted.

By Senator Campbell of Solano:

Amend by striking out of section two hundred and eleven, line seven, the word "four," and inserting the following: "six."

Adopted.

Also: Amend section two hundred and thirty, subdivision two, page one hundred and thirty-five of printed bill, by adding thereto: "and all other expenses necessarily incurred by him in the prosecution of criminal cases."

Adopted.

Also: Amend section two hundred and thirty-four by inserting after the word "Act," on line one of said section, on page one hundred and thirty-seven of the printed bill: "unless otherwise herein provided."

Adopted.

By Senator Voorhies:

Amend section twenty-five, line two hundred and thirty-two, by inserting after the word "otherwise" the following: "*provided*, that the Boards of Supervisors shall have no power to levy or collect any license for regulation, or revenue for pasturing or grazing any live stock upon the lands belonging to the United States, or on private property."

Lost.

Also: Amend by striking out of section two hundred and thirty-two, line ten, the word "amount," and inserting the following: after the word said, the word "warrant."

Adopted.

Also: Amend by striking out of section two hundred and thirty-four, line four, the word "office," and inserting the following: after the word "such," the word "officer."

Adopted.

Also: Amend section two hundred, line nine, page one hundred and twenty of printed bill, by inserting after the word "annum," the following: "*provided*, said Tax Collector shall be allowed one deputy, whose compensation shall not exceed four dollars per day,

to be paid out of the County Treasury upon order of the Board of Supervisors; *provided*, such deputy shall not be allowed pay for more than one hundred days."

Adopted.

By Senator Campbell of Siskiyou:

Amend by striking out of section one hundred and eighty-five, line eight, the words "eighteen hundred dollars," and inserting the following: "two thousand dollars."

Adopted.

By Senator Campbell of Solano:

Amend by inserting the following on page ninety-nine, section one hundred and ninety, line four, after the word "annum:" "*provided*, that all fees received by him from all sources whatever, in his official capacity, shall be paid by him into the County Treasury."

Adopted.

Also: Amend by inserting the following on page ninety-nine, section one hundred and ninety, line six, after the word "annum:" "*provided*, that all fees received by him from all sources whatever, in his official capacity, shall be paid by him into the County Treasury."

Adopted.

By Senator Campbell of Siskiyou:

Amend by inserting the following after the word "thousand," in section one hundred and ninety-one, page one hundred, line five: "six hundred," making it read "three thousand six hundred dollars."

Adopted.

By Senator Heacock:

After the word "allowed," in line eighty-three, page eighty-eight, section one hundred and eighty-two, insert: "and the additional sum of two hundred dollars each per annum for their services as Road Commissioners."

Adopted.

Also: After the word "seat," in line twenty-four, subdivision fifteen, section one hundred and eighty-three, insert: "and the additional sum of one hundred dollars each per annum for their services as Road Commissioners."

Adopted.

Also: At the end of subdivision fourteen, section one hundred and eighty-three, add: "The provisions of this subdivision shall take effect from and after the approval of this Act."

Adopted.

By Senator Goucher:

Amend by striking out of section one hundred and seventy-one, lines forty-two and forty-three, the words: "One Assistant Jailer, who shall receive a salary of nine hundred dollars per annum," and adding thereto the following: "The officer named in section one hundred and seventy-one of this Act shall be elected in the year one thousand eight hundred and ninety-four, at the time provided by law, and shall hold office for the period of four years from the first Monday in January thereafter; but this provision shall not change the time of the expiration of the terms of office of the Supervisors."

Adopted.

By Senator Berry:

Amend by striking out of section two hundred and sixteen, line twenty-seven, after the word "or," and inserting the following: "Clerks or;" and in the same line, after the word "deputies," insert the words "or Clerks."

Adopted.

Also: Amend section two hundred and sixteen, line twenty-three, after the words "thirty-second," by inserting the following: "thirty-third."

Adopted.

Also: Amend section one hundred and ninety-seven, line thirteen, after the word "cents," and insert the following: "And the Recorder shall keep a book known as a Miners' Record Book, and shall keep therein a record of all mining claims in the county brought to him to be recorded."

Adopted.

By Senator Goucher:

Amend by striking out of section one hundred and seventy-one, line four, the words "five thousand five hundred," and inserting the following: "three thousand six hundred."

Adopted.

Also: Amend by adding a new section, to be known as section two hundred and thirty-seven.

SEC. 237. This Act shall take effect from and after its passage.

Adopted.

Also: Amend by striking out of section one hundred and seventy-one, line twenty-five, the words "one thousand," and inserting the following: "nine hundred."

Adopted.

Also: Amend by striking out of section one hundred and seventy-one, line twenty-six, the words "one assistant deputy at a salary of nine hundred dollars per annum."

Adopted.

Also: Amend sections one hundred and seventy-eight, one hundred and ninety-eight, and two hundred and five, by adding to each the following:

"The Board of Supervisors shall, when requested by the official reporter of the Superior Court, and recommended by the Judge thereof, allow said reporter such monthly salary as may be deemed reasonable, but which shall not be less than fifty dollars, in lieu of the fees which now are or which hereafter may be allowed him by law as a charge against the county for attendance on said Superior Court, reporting criminal cases tried therein, and transcribing the same when required; *provided*, that the County Auditor shall not draw his warrant for said salary except the reporter shall first file with him a certificate that all such transcription ordered to the date thereof has been duly completed and filed."

Adopted.

Also: Amend section sixty by inserting after the word "thereafter," in line three: "unless otherwise herein provided."

Adopted.

Also: Amend section one hundred and twenty-nine, by adding a new subdivision, to be numbered subdivision seventeen, and to read as follows:

"All persons residing in the counties of the seventeenth class, attending as witnesses before the Superior Court in criminal cases, shall be paid by the County Treasurer, upon the order of the Judge of the Superior Court, the sum of one dollar and fifty cents per day for the time actually in attendance, and mileage at the rate of ten cents per mile, one way only."

Adopted.

By Senator Campbell of Solano:

Amend by striking out of section one hundred and seventy-one, lines thirty-six and thirty-seven, the words "and a Deputy District Attorney, at a salary of nine hundred dollars per annum."

Adopted.

Also: Amend by striking out of section one hundred and seventy-one, line thirty-nine, the words "one thousand," and inserting the following: "nine hundred."

Adopted.

Also: Amend by striking out of section one hundred and seventy-one, line forty-one, the words "one thousand," and inserting the following: "nine hundred."

Adopted.

Also: Amend by striking out of section one hundred and seventy-one, line thirty-three, the words "he shall also receive," and inserting the following: "the."

Adopted.

Also: Amend section one hundred and seventy-one, line thirty-five, by inserting the following after the word "him:" "and shall convey all taxes collected by him into the County Treasury on or before the first Monday in July of each year."

Adopted.

Also: Amend by striking out of section one hundred and seventy-one, line twenty-seven, the words "two deputies," and inserting the following: "one deputy."

Adopted.

Also: Amend by striking out of section one hundred and seventy-one, line twenty-eight, the word "each," at beginning of line.

Adopted.

Also: Amend by striking out of section one hundred and seventy-one, line twenty-nine, the words "one thousand two hundred," and inserting the following: "one thousand five hundred."

Adopted.

Also: Amend by striking out of section one hundred and seventy-one, line thirty-two, the word "July," and inserting the following: "June."

Adopted.

Also: Amend section twenty-five, between lines two hundred and thirty-six and two hundred and thirty-seven, by inserting the following: "To make regulations for the protection of game and fish; when such regulations are made as provided in this section relating to game and fish, the laws of the State for the protection thereof are suspended in such county."

Adopted.

By Senator Berry:

Amend section one hundred and ninety-five, line one hundred and fifteen, by striking out all of line one hundred and fifteen.

Adopted.

Also: Amend section one hundred and ninety-five, line one hundred and fourteen, page one hundred and sixteen, by adding the following: "and the provisions of this subdivision shall take effect from and after the date of approval of this Act."

Adopted.

By Senator Heacock:

Strike out all of subdivision ten, section two hundred and thirty, and insert in lieu thereof the following: "The salaries of Constables for services rendered in criminal cases

in counties where they receive a salary for such services, and the fees of Constables in like cases when not salaried therefor."

Adopted.

By Senator Goucher:

Amend subdivision ten, section two hundred and fifty, by striking out the word "offices," and insert the following: "for such services."

Adopted.

ADJOURNMENT.

On motion of Senator Hamill, at five o'clock and forty-five minutes P. M. the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, March 11, 1891.

Senate met pursuant to adjournment.

Hon. Thomas Fraser, President pro tem. of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Mead moved that further reading of the Journal be dispensed with.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Senator Heacock:

Resolved, That Senate Bill No. 364 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times upon one day, and placed upon its passage.

Resolution adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—30.

NOES—None.

Hon. J. B. Reddick, President of the Senate, in the chair.

CASE OF URGENCY.

Senate Bill No. 364—An Act making an appropriation to pay the claim of "The California Spirit of the Times," for advertising the election proclamation.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Wilson—28.
NOES—None.

Title read and approved.

On motion of Senator Heacock, the bill was ordered immediately transmitted to the Assembly.

MOTION.

Senator Britt moved to take up Senate Bill No. 552, on urgency file.

So ordered.

SPECIAL FILE OF URGENCY CASES.

Senate Bill No. 552—An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, Denison, Everett, Flint, Goucher, Hamill, Harp, Langford, Mahoney, McComas, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—28.
NOES—Messrs. Dray, Heacock, and Voorhies—3.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Campbell of Solano gave notice that on to-morrow he would move to reconsider the vote by which Senate Bill No. 552 was finally passed.

MOTION.

Senator Ostrom moved to take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed substitute for Assembly Bill No. 86—An Act to amend sections one thousand nine hundred and eighteen, one thousand nine hundred and fifty-five, one thousand nine hundred and fifty-seven, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy, one thousand nine hundred and eighty, one thousand nine hundred and ninety, two thousand and twenty-two, two thousand and sixty-five, two thousand and ninety-four, two thousand and ninety-five, and two thousand and ninety-nine, and to add a new section, to be known as section two thousand and eight, to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the National Guard of California.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Substitute for Senate Bills Nos. 352 and 499—An Act to amend sections one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and forty-eight, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and sixty, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and seventeen, one thousand six hundred and forty-nine, one thousand six hundred and fifty, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and ninety-six, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, and one thousand seven hundred and ninety-two, and to repeal sections one thousand six hundred and twenty-five, one thousand six hundred and sixty-nine, one thousand six hundred and eighty-two, and four hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Also: Amended, and passed as amended, Senate Bill No. 444—An Act to amend section six hundred and forty-seven of the Penal Code, concerning vagrants.

Also: Passed Assembly Bill No. 671—An Act to provide for funding the indebtedness of Levee District No. 6, of Sutter County, and to provide for the payment of such funded debt.

Also: Refused passage to Senate Bill No. 154—An Act authorizing school districts, cities, cities and counties, or incorporated towns, in the State of California, to furnish the pupils of their respective public schools with free use of school text-books.

Also: Refused passage to Senate Bill No. 43—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following:

Senate Bill No. 136—An Act to amend section seven hundred and ninety-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Senate Bill No. 208—An Act giving the consent of the State of California to the reservation of certain lands by Congress.

Also: Senate Bill No. 91—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and furnishing by the Board of State Harbor Commissioners of a general ferry and passenger depot in the City and County of San Francisco; to create a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people.

Also: Assembly Bill No. 756—An Act making an appropriation to pay the deficiency in the appropriation for support of Insane Asylum at Stockton, for the fortieth fiscal year.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended, and passed as amended, Substitute for Senate Bills Nos. 8, 57, 123, and 309—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-six, one thousand one hundred and eighty seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two hundred and fifty-nine of the Political Code, and to add four new sections thereto, to be numbered one thousand two hundred and thirteen, one thousand two hundred and fourteen, one thousand two hundred and

fifteen, and one thousand two hundred and sixteen, all in relation to the conduct of elections in this State.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted the following resolution:

Resolved, That the Clerk forthwith inform the Senate of the vote for United States Senator in this House, to fill the vacancy caused by the death of Hon. George Hearst, the Senator in Congress for the State of California, and that the Senate be requested to meet in the Assembly Chamber to-morrow, Wednesday, March eleventh, at twelve o'clock M., in joint assembly, for the purpose of electing a United States Senator to fill said vacancy, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866.

That the result of said vote taken this day in the Assembly was as follows:

Total number of votes cast, seventy-six; of which number—

Mr. Estee received	13
Mr. Young received	2
Mr. Blanchard received	9
Mr. Perkins received	3
Mr. Ostrom received	15
Mr. Wetmore received	1
Mr. Felton received	6
Mr. Johnston received	4
Mr. Morrow received	1
Mr. De Young received	18
Mr. Chipman received	2
Mr. Coleman received	1
Mr. Swift received	1

H. A. MASON, Chief Clerk.

Assembly Bills Nos. 671 and 756, and substitute for Assembly Bill No. 86, ordered to special file of Assembly Bills.

Substitute for Senate Bills Nos. 352 and 499, Senate Bills Nos. 136, 208, and 91, ordered to engrossment.

Senator De Long moved that the Senate concur in Assembly amendments to Senate Bill No. 444, as follows:

SECTION 1. Section six hundred and forty-seven of the Penal Code is hereby amended to read as follows:

Every person (except a California Indian):

1. Without visible means of living, who has the physical ability to work, and who does not seek employment, nor labor when employment is offered him; or,

2. Every healthy beggar who solicits alms as a business; or,

3. Every person who roams about from place to place, without any lawful business; or,

4. Every person known to be a pickpocket, thief, burglar, or confidence operator, either by his own confession, or by his having been convicted of either of said offenses, and having no visible or lawful means of support, when found loitering around any steamboat landing, railroad depot, banking institution, broker's office, place of public amusement, auction-room, store, shop, or crowded thoroughfare, car, or omnibus, or at any public gathering or assembly; or,

5. Every idle or dissolute person or associate of known thieves, who wanders about the streets at late or unusual hours of the night; or,

6. Every person who lodges in any barn, shed, shop, out-house, vessel, or place other than such as is kept for lodging purposes, without the permission of the owner or party entitled to the possession thereof; or,

7. Every lewd or dissolute person who lives in and about houses of ill-fame; or,

8. Every person who acts as a runner or capper for attorneys in and about Police Courts or city prisons in incorporated cities, or cities and counties; or,

9. Every common prostitute and common drunkard is a vagrant, and is punishable by imprisonment in the county jail not exceeding six months.

SEC. 2. This Act shall take effect from and after its passage.

The roll was called, and the Senate concurred in the amendments by the following vote:

AYES—Messrs. Bailey, Banks, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Everett, Fraser, Goucher, Harp, Heacock, Lang-

ford, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Geo. H.), and Wilson—28.
NOES—Mr. Williams (Wm. H.)—1.

Bill ordered engrossed and printed as amended.

Senator De Long moved that the Senate concur in Assembly amendments to substitute for Senate Bills Nos. 8, 57, 123, and 369, as follows:

Amend by striking out of section one, line six, of page two, engrossed copy, after the word "printing," the word "of;" in line seven, section one, printed copy, the word "and."

Amend by striking out the word "three" in line eight, section four, and insert the word "five."

Amend section four by striking out all after the word "more" in line ten down to and including the word "State," in line eleven.

Amend section thirteen by inserting after the word "surname," in line thirty-three, the following words: "except that the names of candidates for the office of electors for President and Vice-President shall be arranged in groups as presented in the several certificates of nomination, and the voter may vote for the whole of such group by making one mark after such group."

Amend by striking out of section thirteen of printed copy the word "organizations," and inserting instead thereof the following: after the word "political" and before the word "the," the word "designation."

Amend by striking out of section twenty-eight, lines one and two, after line eight, page fourteen of printed bill, and inserting instead the following:

"SEC. 29. Section one thousand two hundred and fifty-seven of the Political Code is hereby amended to read as follows."

Amend by inserting in line three, page fourteen of printed bill, before the word "after," the word and figures "Section 1257."

Amend by adding to section one thousand two hundred and fifteen, page sixteen, printed copy: "No person shall solicit a vote or speak to a voter on the subject of marking his ticket within one hundred feet of the polling places."

On motion of Senator Ostrom, further consideration of the bill was postponed for ten minutes.

RESOLUTION—(OUT OF ORDER).

By Senator Carpenter:

Resolved, That the Assembly be respectfully requested to return Assembly Bill No. 280 to the Senate for amendment.

Adopted.

SPECIAL URGENCY FILE.

Senator Wilson moved to take up Senate Bill No. 475.

So ordered.

Senate Bill No. 475—An Act to add a new section to the Penal Code, to be known and numbered section six hundred and fifty-five, relating to dealing in options.

Bill read second and third times.

On motion of Senator Ostrom, the consideration of Senate Bill No. 8 was postponed until the matter under consideration be disposed of.

CALL OF THE SENATE.

Senator Wilson moved a call of the Senate.

So ordered.

Senator De Long asked leave of absence for Senator Langford.

Granted.

Senator Broderick asked leave of absence for Senator Berry for to-day and to-morrow.

Granted.

Senator Simpson asked leave of absence for Senator Dargie.

Granted.

The roll was called, and the following Senators answered to their names:

AYES—Messrs. Bailey, Banks, Broderick, Brynes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

President pro tem. Fraser in the chair.

Senator Ostrom moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The roll was called, and Senate Bill No. 475 refused final passage by the following vote:

AYES—Messrs. Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Ragsdale, Seawell, Shippee, Streeter, Williams (Wm. H.), Williams (Geo. H.), and Wilson—16.

NOES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Preston, Simpson, Sprague, and Voorhies—18.

The roll was called on the Assembly amendments to substitute for Senate Bills Nos. 8, 57, 123, and 369, and they were concurred in by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Wilson—36.

NOES—Mr. Campbell of Solano—1.

On motion of Senator Goucher, Senator Berry was recorded as voting aye on the bill.

Bill was ordered engrossed and printed as amended, and on motion of Senator De Long, the Assembly was notified that the Senate concurred in the Assembly amendments.

Hon. J. B. Reddick, President of the Senate, in the chair.

RESOLUTION—(OUT OF ORDER).

By Senator Seawell:

Resolved, That Senate Bill No. 692 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times upon one day, and placed upon its passage.

Resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Williams (Wm. H.), Williams (Geo. H.), and Wilson—31.

NOES—None.

CASE OF URGENCY.

Senate Bill No. 692—An Act to appropriate money to pay the claim of William M. Pierson and Robert B. Mitchell, for moneys disbursed by

them in certain legal proceedings brought on behalf of the State of California, under the employment of the Attorney-General.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Seawell, Shippee, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—30.
NOES—None.

Title read and approved.

REQUEST.

Senator Goucher asked permission to introduce a bill.

On roll call, the permission was granted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Brynes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Sprague, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—35.
NOES—None.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Senator Goucher: Senate Bill No. 694—An Act to amend section one thousand five hundred and ninety-nine of an Act entitled "An Act to establish a Political Code," providing for certain exceptions in school elections.

Bill read first time, and ordered printed.

Senator Crandall moved to take up Senate Bill No. 341.

So ordered.

SPECIAL FILE OF URGENCY CASES.

Senate Bill No. 341—An Act to amend section three of an Act to regulate contracts on behalf of the State, in relation to erections and buildings, approved March 23, 1876.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Brynes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Goucher, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—33.
NOES—None.

Title read and approved.

On motion of Senator Heacock, at twelve o'clock M. the Senators proceeded in a body to meet the House in Joint Assembly, for the purpose of electing a United States Senator.

IN JOINT ASSEMBLY.

WEDNESDAY, March 11, 1891.

The hour of twelve o'clock meridian having arrived, the Sergeant-at-Arms of the Assembly announced that the members of the Senate were at the bar of the House.

The Senate and Assembly then went into joint session for the purpose of electing a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner for holding elections for Senators in Congress," approved July 25, 1866.

Hon. J. B. Reddick, President of the Senate, in conjunction with the Hon. F. L. Coombs, Speaker of the Assembly, presiding.

The roll of the Senate was then called by the Secretary, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

The roll of the Assembly was called by the Chief Clerk, and the following members answered to their names:

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Weston, Young, and Mr. Speaker.

Quorum of both Houses of the Legislature present.

The President of the Senate then announced that the two Houses of the Legislature are met in Joint Assembly for the purpose of electing a United States Senator, to fill the vacancy caused by the death of Senator George Hearst.

The President of the Senate directed the Secretary of the Senate to read the Act of Congress requiring a Joint Assembly to be held this day. It was read, as follows:

Title two, chapter one, United States Revised Statutes—An Act to regulate the time and manner of holding elections for Senator in Congress, approved July 25, 1866.

SECTION 14. The Legislature of each State, which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

SEC. 15. Such election shall be conducted in the following manner: Each House shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for, who received a majority of the whole number of votes cast in each House, shall be entered on the Journal of that House by the Clerk or Secretary thereof; or if either of them fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock M. of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in joint assembly, and the Journal of each House shall then be read, and if the same person has received a majority of all the votes in each House, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes of each House, or if either House has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a viva voce vote of each member present, a person for Senator, and the person who receives the majority of all the votes of the joint assembly, a majority of all the members elected to both Houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the joint assembly shall meet at twelve o'clock M. of each succeeding day during the session of the Legislature, and shall take at least one vote until a Senator is elected.

SEC. 16. Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State, a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized, and has notice of such vacancy.

SEC. 18. It shall be the duty of the Executive of the State from which any Senator has been chosen, to certify his election, under the seal of the State, to the President of the Senate of the United States.

SEC. 19. The certificate mentioned in the preceding section shall be countersigned by the Secretary of State of the State.

The Secretary of the Senate then read from the Journal of the Senate so much of the proceedings of yesterday, which was the second Tuesday after the notice of the death of Senator George Hearst, as relates to the election of a United States Senator to fill the unexpired term of Senator George Hearst, whereby it appears that forty Senators were present and voted each for his choice, and that the result of said vote taken in the Senate was as follows:

Total number of votes cast, forty; of which number—

M. H. De Young received	4
G. G. Blanchard received	3
C. N. Felton received	7
Wm. Johnston received	2
M. M. Estee received	12
D. A. Ostrom received	10
G. G. Goucher received	1
J. V. Coleman received	1

The Chief Clerk of the Assembly then read so much of the Journal of the Assembly of yesterday as relates to the proceedings of that body in reference to the election of a United States Senator, held in accordance with the Act of Congress above recited, whereby it appears that seventy-six members were present and voted each for his choice, and that the

Total number of votes cast was	76
Necessary to a choice	39
Mr. Estee received	13
Mr. Young received	2
Mr. Blanchard received	9
Mr. Perkins received	3
Mr. Ostrom received	15
Mr. Wetmore received	1
Mr. Felton received	6
Mr. Johnston received	4
Mr. Morrow received	1
Mr. De Young received	18
Mr. Chipman received	2
Mr. Coleman received	1
Mr. Swift received	1

The Speaker of the Assembly announced that it appearing by the Journals of the Senate and Assembly that in the proceedings of yesterday, pertaining to the election of a Senator in Congress from California to fill the unexpired term caused by the death of Hon. George Hearst, that both the Senate and Assembly failed to express, by a majority of votes cast, a choice for United States Senator to fill the unexpired term. That it is now the duty of and it is now in order for this Joint Assembly to elect a Senator in Congress from California to fill such vacancy.

NOMINATIONS FOR UNITED STATES SENATOR.

Speaker Coombs nominated M. M. Estee.
Mr. Bledsoe nominated N. A. Young.
Senator Fraser nominated George G. Blanchard.
Mr. Dibble nominated M. H. De Young.
Mr. Galbraith nominated Charles N. Felton.

Mr. Bruner nominated Hon. William Johnston.
Mr. Fowler nominated Charles A. Wetmore.
Mr. Gould nominated G. G. Goucher.
Mr. Matlock nominated N. P. Chipman.

MOTION.

Mr. Clark moved that the nominations close.
Carried.

ROLL CALL.

The Secretary of the Senate called the roll of the Senate, and each Senator present pronounced the name of the person for whom he voted, as follows:

For Blanchard—Messrs. Fraser, Preston, and Voorhies.
For Coleman—Mr. W. H. Williams.
For De Young—Messrs. Broderick, Dargie, Maher, and Geo. H. Williams.
For Estee—Messrs. Bailey, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Flint, Heacock, McComas, McGowan, Ragsdale, Shippee, and Sprague.
For Felton—Messrs. Banks, Crandall, De Long, Everett, Mahoney, Simpson, and Streeter.
For Goucher—Messrs. Britt, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, and Wilson.
For Johnston—Messrs. Denison and Dray.
For Gould—Mr. Goucher.

Whole number of votes cast	39
Geo. G. Blanchard received	3
Jas. V. Coleman received	1
M. H. De Young received	4
M. M. Estee received	12
Chas. N. Felton received	7
G. G. Goucher received	9
Wm. Johnston received	2
Frank H. Gould received	1

Pending the roll call, Senator Ostrom announced the absence of Senator Berry, and stated that Senator Berry had requested that his vote be recorded for G. G. Goucher.

The President of the Senate announced that the request could not be complied with.

The Clerk of the Assembly called the roll of the House, and each member present voted for his choice for Senator, as follows:

For Blanchard—Messrs. Barnard, Baughman, Brown, Freeman, Hocking, Hunewill, and Lynch.
For Chipman—Messrs. Hail and Matlock.
For Coleman—Mr. Dunn.
For De Young—Messrs. Alexander, Barnett of San Francisco, Coffey, Daly, Dennis, Dibble, Dow, Glynn, Hayes, Hoey, Johnson, Jones, Lowe, Lux, Marion, Phillips, Steltz, Tennis, Tully, and Windrow.
For Estee—Messrs. Ames, Barnett of Sonoma, Bert, Bryant, Cargill, Culver, Durner, Estey, Harloe, Hawley, Lewis, Murphy, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Mr. Speaker.
For Felton—Messrs. Carter, Galbraith, Gordon, Hersey, Lacey, and Young.
For Goucher—Messrs. Arms, Cunningham, Doty, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, and Stabler.
For Johnston—Messrs. Beecher, Bruner, and McCall.
For Morrow—Messrs. Clark and Wentworth.
For Perkins—Mr. Cram.
For Wetmore—Mr. Fowler.
For Young—Messrs. Bledsoe and Kellogg.

Whole number of votes cast	78
Mr. Blanchard received	7
Mr. Chipman received	2
Mr. Coleman received	1

Mr. De Young received 20
Mr. Estee received 17
Mr. Felton received 6
Mr. Goucher received 16
Mr. Johnston received 3
Mr. Morrow received 2
Mr. Perkins received 1
Mr. Wetmore received 1
Mr. Young received 2

The President of the Senate announced the result of the ballot as follows:

Whole number of votes cast 117
Mr. Blanchard received 10
Mr. Chipman received 2
Mr. Coleman received 2
Mr. De Young received 24
Mr. Estee received 29
Mr. Felton received 13
Mr. Goucher received 25
Mr. Johnston received 5
Mr. Morrow received 2
Mr. Perkins received 1
Mr. Wetmore received 1
Mr. Young received 2
Mr. Gould received 1

The President of the Senate announced that the total number of votes cast was one hundred and seventeen; necessary for a choice, fifty-nine; and that no nominee had received the number of votes necessary for a choice.

ADJOURNMENT.

Mr. Dibble moved that this Joint Assembly do now adjourn until twelve o'clock M., to-morrow.

Carried.

REASSEMBLED.

At two o'clock and forty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

RECESS.

On motion of Senator De Long, the Senate took a recess until three o'clock and thirty minutes P. M.

REASSEMBLED.

At three o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thos. Fraser, President pro tem. of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Pres-

ton, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

RESOLUTION—(OUT OF ORDER).

By Senator Everett:

Resolved, That the committee substitute for Assembly Bill No. 86 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage, and that said bill be substituted on the urgency file for Senate Bill No. 644.

Senator Ostrom moved that the Senate take a recess for fifteen minutes.

Motion lost.

The roll was called, and Senator Everett's resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—31.

NOES—None.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 10, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bill has been correctly enrolled:

Senate Bill No. 643—An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, and of all Acts amendatory thereof, as are in conflict herewith.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

CASE OF URGENCY.

Committee Substitute for Assembly Bill No. 86—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and fifty-seven, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty, one thousand nine hundred and ninety, two thousand and twenty-two, two thousand and sixty-five, two thousand and ninety-four, two thousand and ninety-five, and two thousand and ninety-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the National Guard of California.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—Mr. Ostrom—1.

Title read and approved.

MOTION.

Senator Carpenter moved to take up Assembly messages.
So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that in accordance with a resolution passed by your honorable body this day, the Assembly herewith returns substitute for Assembly Bill No. 280.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Senator Carpenter moved that the rules be temporarily suspended, to reconsider the vote whereby Assembly Bill No. 280 was passed yesterday.
On roll call, the motion was carried by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Preston, Seawell, Shippee, Simpson, Streeter, Voorhies, and Williams (Geo. H.)—31.
NOES—None.

Senator Carpenter moved that the Senate reconsider the vote by which Assembly Bill No. 280 was finally passed on yesterday.
The roll was called, and motion carried by the following vote:

AYES—Messrs. Banks, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—30.
NOES—None.

Senator Carpenter moved that the bill be referred to a special committee of one, consisting of Senator Crandall, to make the following amendments:

Amend by striking out of section one, line one, the words "twelve thousand five hundred and ninety-seven," and insert in lieu thereof "ten thousand;" also, on line two the figures "12,597," and insert in lieu thereof the figures "$10,000;" also, strike out all after the word "ninety-one," on lines six and seven, section one; also, on line four strike out the words following the word "them," as follows: "ten thousand dollars."

So ordered.

REPORT OF COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 11, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred substitute for Assembly Bill No. 280, with instructions to amend, has had the same under consideration, and respectfully report the same back, amended as per your instructions.

CRANDALL, Committee.

Report adopted.
Bill ordered to printer as amended.

MOTION.

Senator Campbell of Solano moved to take up Senate Bill No. 678.
So ordered.
Senate Bill No. 678—An Act to establish a uniform system of county and township governments.

Amendment by Senator Voorhies:

Amend section twenty-five, line two hundred and thirty-two, by inserting after the word "otherwise" the following: "*provided*, that the Boards of Supervisors shall have no power to levy or collect any license for regulation, or revenue for pasturing or grazing any live stock upon the lands belonging to the United States, or on private property."

On motion of Senator Preston, the Secretary was instructed to have substitute for Senate Bills No. 352 and 499 returned from the printer, for the purpose of making a correction in engrossment.

LEAVE OF ABSENCE.

Senator Campbell of Solano asked leave of absence for Senator Ragsdale.

Granted.

CALL OF THE SENATE.

Senator Voorhies moved a call of the Senate.

During the announcement of the vote Senator Preston raised the point of order that the vote had been announced before the motion for the call of the Senate was made.

The Chair decided the point of order not well taken.

The Chair ordered a roll call on the question, "Shall a vote be taken on a call of the Senate?"

The roll was called, and the Senate decided in favor of a call of the Senate by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Carpenter, De Long, Denison, Everett, Flint, Fraser, Goucher, Maher, Seawell, Shippee, Sprague, Streeter, Voorhies, Welch, and Williams (Geo. H.)—18.

NOES—Messrs. Banks, Byrnes, Campbell of Solano, Campbell of Siskiyou, Harp, Heacock, McComas, McGowan, Mead, Ostrom, Preston, Simpson, Williams (Wm. H.), and Wilson—14.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Senator Simpson moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The roll was called on the adoption of the amendment by Senator Voorhies, and the amendment lost by the following vote:

AYES—Messrs. Bailey, Broderick, Carpenter, De Long, Denison, Everett, Flint, Hamill, Harp, Langford, Maher, Seawell, Shippee, Sprague, Streeter, Welch, and Williams (Geo. H.)—17.

NOES—Messrs. Banks, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Fraser, Goucher, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Simpson, Voorhies, Williams (Wm. H.), and Wilson—19.

Senator Voorhies gave notice that on to-morrow he would move to reconsider the vote by which the amendment was lost.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 11, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 341—An Act to amend section three of an Act to regulate contracts on behalf of the State, in relation to erections and buildings, approved March 23, 1876.

Also: Senate Bill No. 552—An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California.

Also: Senate Bill No. 692—An Act to appropriate money to pay the claim of William M. Pierson and Robert B. Mitchell, for moneys disbursed by them in certain legal proceedings brought on behalf of the State of California, under the employment of the Attorney-General.

HAMILL, of Committee.

AMENDMENTS TO SENATE BILL No. 678—(RESUMED).

By Senator Carpenter:

Amend by inserting on page fifty, line one hundred and fifty-three, after the word "incumbents," the following: "in all counties which, under the provisions of this Act, are entitled to become second class counties in 1892-3, as provided for in section ten thereof."

Adopted.

By Senator McGowan:

Amend by striking out of section two hundred and sixteen, line twenty-four, the word "and," after the word "forty-first," and inserting the following: "fiftieth and fifty-second."

Adopted.

By Senator Campbell of Siskiyou:

Amend by striking out of section two hundred and thirty-five, line ten, all that portion of section two hundred and thirty-five after the word "further," and insert the following: "That in all newly created counties, for the purpose of fixing the salaries of county and township officers, the Board of Commissioners appointed to organize said new county, and if no Commissioners be appointed, then the Board of Supervisors of said new county shall classify said new county according to the population classification of this Act."

Adopted.

Senator Goucher asked leave to withdraw the following amendment:

Amend sections one hundred and seventy-eight, one hundred and ninety-eight, and two hundred and five, by adding to each the following:

"The Board of Supervisors shall, when requested by the official reporter of the Superior Court, and recommended by the Judge thereof, allow said reporter such monthly salary as may be deemed reasonable, but which shall not be less than fifty dollars, in lieu of the fees which now are or which hereafter may be allowed him by law, as a charge against the county for attendance on said Superior Court, reporting criminal cases tried therein, and transcribing the same when required; *provided*, that the County Auditor shall not draw his warrant for said salary, except the reporter shall first file with him a certificate that all transcription ordered to the date thereof has been duly completed and filed."

Granted.

By Senator Seawell:

Amend section one hundred and seventy-nine, by adding a new subdivision, to be numbered subdivision seventeen, and to read as follows:

"All persons residing in the counties of the seventeenth class, attending as witnesses before the Superior Court in criminal cases, shall be paid by the County Treasurer, upon the order of the Judge of the Superior Court, the sum of one dollar and fifty cents per day for the time actually in attendance, and mileage at the rate of ten cents per mile, one way only."

Adopted.

On motion of Senator Campbell of Solano, Senate Bill No. 678 was ordered printed as amended.

REPORT OF CONFERENCE COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 11, 1891.

MR. PRESIDENT: Your Committee of Free Conference concerning Assembly Bill No. 101, report that we have met a like committee of the Assembly, consisting of Assemblymen Bledsoe, Mathews, and Hawley, and we report that the Free Conference Committee agreed upon and recommend the following:

1. On line twenty-seven of Senate amendment strike out all after the word "published," down to and including the word "thereto," on line twenty-nine.
2. Insert in lieu thereof the following: "in the county nearest the property."

McGOWAN,
For Free Conference Committee.

RESOLUTION—(OUT OF ORDER).

By Senator McGowan:

WHEREAS, We have learned with profound regret of the death of Hon. John F. Swift, whose eminent services, superior abilities, purity of life, and irreproachable character have added luster and renown to the name of the State of California; therefore, be it

Resolved, That recognizing the great loss our State has sustained, and as a fit tribute to the memory of our former fellow citizen, the Senate, when it adjourns on this day, do so out of respect to the memory of Hon. John F. Swift.

Resolution adopted.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 11, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller of State be and he is hereby directed to draw his warrant in favor of Frank H. Wing, and the State Treasurer is hereby directed to pay the same, for the sum of twelve dollars and seventy-five cents, for additional rubber stamps as per accompanying voucher.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also:

Resolved, That the Controller be and he is hereby directed to draw his warrants in favor of the following names for the amounts set opposite to them, for mileage on account of the visit of the sub-Committee on Commerce and Navigation to the bay of San Francisco:

Frank McGowan, one hundred and eighty miles	$16 80
W. H. Williams, one hundred and eighty miles	16 80

The same to be paid out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to pay the following bills:

Union Ice Company, for ice furnished	$27 00
John P. Hughes, for carpenter work done	25 80
C. H. Rave, locksmith	8 00

The same to be paid out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrant for the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BYRNES, Chairman.

On roll call, the reports were adopted by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Harp, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—Mr. Hamill—1.

RESOLUTION—(OUT OF ORDER).

By Senator Maher:

Resolved, That Martin Steinmetz be allowed two dollars and fifty cents per night from January 6 to March 3, 1891, for lighting and attending to the gas in the Senate Chamber. The Controller is hereby authorized to draw his warrant for the same, and the Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MOTION.

Senator Ostrom moved to take up Governor's messages.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 11, 1891.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 388, 84, and 7.

H. H. MARKHAM, Governor.

ADJOURNMENT.

On motion of Senator Heacock, the Senate stood adjourned at five o'clock and forty-five minutes P. M.

IN SENATE.

SENATE CHAMBER,
Thursday, March 12, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Heacock moved that further reading of the Journal be dispensed with.

So ordered.

REQUEST.

Senator Maher asked the privilege of introducing a constitutional amendment.

The roll was called, and privilege granted by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell of Solano, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—28.

NOES—None.

SENATE CONSTITUTIONAL AMENDMENT No. 23.

An Act providing to have submitted to the people an amendment to article thirteen of the Constitution, section one, in relation to revenue and taxation.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

That there be submitted to the two Houses for their vote thereon, and for final submission to the vote of the people, the following:

Article thirteen, section one, of the Constitution of the State, is amended so as to read as follows:

SECTION 1. All property in the State, not exempt under the laws of the United States, shall be taxed in proportion to its value, to be ascertained as provided by law. The word "property," as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things real, personal, and mixed, capable of private ownership; *provided*, that fruit trees and vines under five years of age, growing crops, property used exclusively for public schools, free public libraries, and free public museums, and such as may belong to the United States, this State, or to any county or municipal corporation within this State, shall be exempt from taxation. The Legislature may provide, except in the case of credits secured by mortgage or trust deed, for a deduction from credits of debts due to bona fide residents of this State.

Senate Constitutional Amendment No. 23 read.

Senator Ostrom moved to amend by adding thereto, after the words "public museum," the words "churches valued at three thousand dollars or less."

Amendment lost.

The roll was called, and Senate Constitutional Amendment No. 23 adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Dargie, De Long, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Preston, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—28.

NOES—Messrs. Byrnes, Ostrom, and Seawell—3.

REQUEST.

Senator Heacock asked the unanimous consent to take up for consideration Senate Constitutional Amendment No. 8.

Objected to by Senator Hamill.

MOTION TO RECONSIDER.

Senator Campbell of Solano moved to reconsider the vote whereby Senate Bill No. 552 was finally passed yesterday.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Dargie, Denison, Dray, Fraser, and Preston—5.

NOES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, De Long, Everett, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ragsdale, Seawell, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.

COMMUNICATION.

STATE OF CALIFORNIA, DEPARTMENT OF STATE,
SACRAMENTO, March 11, 1891.

To the President of the Senate:

SIR: In response to the resolution of your honorable body, passed on the sixth instant, of which I have just received official notice, directing the Secretary of State to furnish each Senator with five bound sets of Irrigation Reports, I have to say that there are but a few sets in this office, and not enough to supply the demand made in the resolution of the Senate.

Respectfully,

E. G. WAITE, Secretary of State.

PRESENTATION OF PETITIONS.

By Senator Ostrom, relative to the mutual insurance bill, from Danville Grange.

MOTION.

Senator W. H. Williams moved to take up Senate Bill No. 142.

Senator De Long objected, and on roll call the Senate refused to consider the bill at this time, by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Goucher, Harp, Maher, Mahoney, McComas, Mead, Welch, and Williams (Wm. H.)—11.

NOES—Messrs. Bailey, Byrnes, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Langford, Ostrom, Ragsdale, Simpson, Sprague, Streeter, and Voorhies—19.

LEAVE OF ABSENCE.

On motion of Senator Heacock, Senator Shippee was granted leave of absence for the day.

APPROVAL OF JOURNALS.

On motion of Senator Heacock, the Journals of March second, third, fourth, fifth, sixth, and seventh were approved.

MOTION.

Senator Goucher moved that the Assembly be requested to return the concurrent resolution relative to appointing a committee to attend the funeral of the late Senator George Hearst.

So ordered.

Senator Goucher moved that two more Senators be added to the committee.

Senator Mead moved to amend by making the number four, making the committee nine in all.

Senator Ostrom offered a substitute that the whole Senate be constituted a committee to attend the funeral.

So ordered.

SPECIAL FILE OF URGENCY CASES.

Senate Bill No. 330—An Act to amend sections one, nine, and seventeen of "An Act to provide for the erection and management of a State Hospital for the Insane, to be located in Southern California," approved March 11, 1889.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—None.

Title read and approved.

Senator Preston moved that the rules be temporarily suspended, and that Rule 8½ be applicable after the special orders on hand be disposed of.

The roll was called, and the motion adopted by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (Geo. H.)—31.
NOES—None.

Senator Preston moved that after the special order at hand be disposed of that Rule 8½ be in force, and that each Senator name the bill he wishes considered as a case of urgency.

So ordered.

Senator Hamill objected to the consideration of Senate Bill No. 406.

On roll call, the Senate refused to consider the bill by the following vote:

AYES—Messrs. Campbell of Solano, Carpenter, Dray, Flint, Fraser, Goucher, Heacock, McComas, Ostrom, Preston, Ragsdale, Simpson, Sprague, Streeter, and Voorhies—15.
NOES—Messrs. Britt, Broderick, Brynes, Dargie, De Long, Everett, Hamill, Harp, Maher, Mahoney, McGowan, Mead, Welch, and Williams (Wm. H.)—14.

Senator Preston objected to the consideration of Senate Bill No. 63.

On roll call, the Senate decided to consider the bill at this time, by the following vote:

AYES—Messrs. Britt, Broderick, Byrnes, Dray, Everett, Flint, Fraser, Hamill, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Seawell, Sprague, Streeter, and Williams (Geo. H.)—18.
NOES—Messrs. Campbell of Siskiyou, Crandall, Denison, Heacock, Langford, Preston, Simpson, Voorhies, and Williams (Wm. H.)—9.

Senate Bill No. 63—An Act to fix the compensation for gas supplied by persons, companies, or corporations, to any city, or incorporated city and county, of more than one hundred thousand (100,000) inhabitants, or to the inhabitants thereof, and to provide a penalty for collecting or attempting to collect illegal gas rates.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Campbell of Solano, Campbell of Siskiyou, Everett, Flint, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Seawell, Sprague, Streeter, Welch, and Williams (Geo. H.)—21.
NOES—Messrs. Carpenter, Crandall, Dargie, De Long, Denison, Dray, Fraser, Heacock, Langford, Preston, Simpson, and Williams (Wm. H.)—12.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Carpenter:

Resolved, That the Assembly be respectfully requested to return to the Senate Assembly Bill No. 692, for amendment.

Adopted.

REQUEST.

Senator Seawell asked permission to introduce a bill.

On roll call, permission was granted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.

NOES—Mr. Crandall—1.

INTRODUCTION OF BILL.

By Senator Seawell: Senate Bill No. 695—An Act for the relief of A. J. Bourn, for personal injuries received by him while in the service of the State.

Senator Campbell moved that the bill be referred to Committee on Claims.

Senator Seawell moved to amend, by instructing committee to report back in two days.

So ordered.

SUBSTITUTION OF BILL.

Senator Goucher asked leave to substitute Senate Bill No. 610 for Senate Bill No. 251, on urgency file.

Granted.

RESOLUTION—(OUT OF ORDER).

By Senator Goucher:

Resolved, That Senate Bill No. 610 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Langford, Maher, McComas, Mead, Ostrom, Seawell, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—None.

Senate Bill No. 610—An Act to amend an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such districts," by amending sections three, eight, and thirteen thereof.

Bill read second time.

The following committee amendment was adopted:

Amend by striking out the whole of section three, and making the last section number three.

Bill ordered printed as amended, and on file for third reading.

Substitute for Senate Bill No. 340—An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hun-

dred and forty-four, six hundred and forty-five, and six hundred and forty-seven, of title sixteen, of part four, division first of the Civil Code, and to add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Byrnes, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Everett, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—24.

NOES—None.

Title read and approved.

Senator Heacock moved that the Senate take a recess of five minutes, and prepare to go into joint convention with the Assembly, for the purpose of balloting for United States Senator.

So ordered.

RECESS.

At eleven o'clock and fifty-five minutes A. M. the Senate took a recess.

IN JOINT ASSEMBLY.

The hour of twelve o'clock meridian having arrived, the Sergeant-at Arms of the Assembly announced that the members of the Senate were at the bar of the House.

The Senate and Assembly then went into joint session for the purpose of electing a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866.

Hon. J. B. Reddick, President of the Senate, in conjunction with Hon. F. L. Coombs, Speaker of the Assembly, presiding.

The roll of the Senate was called by the Secretary, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

The roll of the Assembly was called by the Chief Clerk, and the following members answered to their names:

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

READING OF THE JOURNAL.

The Journal of yesterday's proceedings in Joint Assembly was read by the Secretary of the Senate.

Journal approved.

Senator Heacock announced that Senator Shippee was absent on account of sickness, but if present his vote would be cast for M. M. Estee.

The President of the Senate then announced that nominations for United States Senator were in order.

NAMES WITHDRAWN.

Hon. N. P. Chipman's name was withdrawn as a candidate for United States Senator, by Mr. Matlock.

Hon. W. W. Morrow's name was withdrawn as a candidate for United States Senator.

NOMINATIONS.

Senator Goucher nominated Hon. J. V. Coleman as a candidate for United States Senator.

ROLL CALL.

The Secretary of the Senate called the roll of the Senate, and each Senator present pronounced the name of the person for whom he voted, as follows:

For Blanchard—Messrs. Fraser, Preston, and Voorhies.
For Coleman—Messrs. Britt, Goucher, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, and Williams (Wm. H.).
For De Young—Messrs. Broderick, Dargie, Maher, and Williams (Geo. H.).
For Estee—Messrs. Bailey, Brynes, Campbell of Siskiyou, Carpenter, Flint, Heacock, McComas, McGowan, Ragsdale, and Sprague.
For Felton—Messrs. Banks, Campbell of Solano, Crandall, De Long, Everett, Mahoney, Simpson, and Streeter.
For Johnston—Messrs. Denison and Dray.

Whole number of votes cast	37
Geo. G. Blanchard received	3
Jas. V. Coleman received	10
M. H. De Young received	4
M. M. Estee received	10
Chas. N. Felton received	8
Wm. Johnston received	2

The Clerk of the Assembly called the roll of the House, and each member present voted for his choice, as follows:

For Blanchard—Messrs. Barnard, Baughman, Beecher, Bledsoe, Brown, Freeman, Hocking, Kellogg, and Lynch.
For Coleman—Messrs. Arms, Cunningham, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, and Stabler.
For De Young—Messrs. Alexander, Barnett of San Francisco, Coffey, Daly, Dennis, Dibble, Dow, Glynn, Hayes, Hoey, Johnson, Jones, Lowe, Lux, Marion, Phillips, Steltz, Tennis, Tully, and Windrow.
For Estee—Messrs. Ames, Barnett of Sonoma, Bert, Bryant, Cargill, Clark, Cram, Culver, Durner, Estey, Hail, Hawley, Hunewill, Lewis, Matlock, Murphy, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Mr. Speaker.
For Felton—Messrs. Carter, Galbraith, Gordon, Harloe, Hersey, Lacey, Wentworth, and Young.
For Johnston—Messrs. Bruner and McCall.
For Wetmore—Mr. Fowler.

Whole number of votes cast	78
Geo. G. Blanchard received	9

Jas. V. Coleman received 17
M. H. De Young received 20
M. M. Estee received 21
Chas. N. Felton received 8
Wm. Johnston received 2
Chas. A. Wetmore received 1

ANNOUNCEMENT OF JOINT BALLOT.

The President of the Senate announced the vote on joint ballot as follows: Whole number of votes cast, one hundred and fifteen; necessary for a choice, fifty-eight.

Geo. G. Blanchard received 12
Jas. V. Coleman received 27
M. H. De Young received 24
M. M. Estee received 31
Chas. N. Felton received 16
Wm. Johnston received 4
Chas. A. Wetmore received 1

MOTION.

Mr. Bruner moved that the Joint Assembly adjourn until twelve o'clock M., to-morrow.

A roll call was demanded by Messrs. Bledsoe, Gould, and Marion.

The roll of Senators was called by the Secretary, with the following result:

AYES—Messrs. Bailey, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Maher, Mahoney, Ostrom, Preston, Simpson, Streeter, Voorhies, and Welch—21.

NOES—Messrs. Banks, Britt, Campbell of Siskiyou, Goucher, Harp, Heacock, Langford, McComas, McGowan, Mead, Ragsdale, Seawell, and Williams (Wm. H.)—13.

The roll of the Assembly was called by the Chief Clerk, with the following result:

AYES—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Baughman, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Daly, Dennis, Dibble, Dow, Durner, Fowler, Galbraith, Glynn, Gordon, Harloe, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lowe, Lux, Lynch, Marion, McCall, Phillips, Stabler, Steltz, Sturtevant, Tennis, Tully, Windrow, and Young—46.

NOES—Messrs. Arms, Barnett of Sonoma, Beecher, Bert, Cunningham, Doty, Dunn, Eakle, Estey, Freeman, Garver, Hail, Hawley, Jackson, Lacey, Lewis, Martin, Mathews, Matlock, Mordecai, Murnan, Murphy, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Wentworth, Weston, and Mr. Speaker—31.

AYES:
Senate 21
Assembly 46
— 67

NOES:
Senate 13
Assembly 31
— 44

Total 111

Motion carried.

REASSEMBLED.

The Senate at twelve o'clock and fifty-five minutes P. M. reassembled. President Reddick in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Langford, Mahoney, McGowan, Mead, Preston, Ragsdale, Seawell, Simpson, Streeter, Voorhies, and Williams (Wm. H.).

Quorum present.

RECESS.

At twelve o'clock and fifty-six minutes P. M., on motion of Senator De Long, the Senate took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 110—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

The bill having been read a third time on a previous day, the roll was called on its final passage, with the following result:

AYES—Messrs. Banks, Britt, Campbell of Solano, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Seawell, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—Messrs. Carpenter and Crandall—2.

Title read and approved.

Substitute for Assembly Bill No. 280—An Act making an appropriation for the Reform School for Juvenile Offenders at Whittier.

The bill having been read a third time on a previous day, the roll was called on its final passage, with the following result:

AYES—Messrs. Banks, Britt, Broderick, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Simpson, Voorhies, Welch, and Williams (Geo. H.)—27.

NOES—None.

Title read and approved.

Assembly Bills Nos. 561, 87, and 471 passed on file.

Assembly Bill No. 670—An Act to define the boundary and provide for the government of Levee District No. 6, of Sutter County, California.

Bill read second time, and ordered on file for third reading.

RESOLUTION—(OUT OF ORDER).

By Senator Voorhies:

Resolved, That Assembly Bill No. 747 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times upon one day, and placed upon its passage.

Resolution adopted by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Simpson, Streeter, Voorhies, Welch, and Williams (Geo. H.)—30.
NOES—None.

Assembly Bill No. 747—An Act for the relief of Agnes Lynch, widow of Hugh J. Lynch, for injuries received by said Lynch while in the service of the State, which caused his death.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Preston, Seawell, Simpson, Streeter, Voorhies, Welch, and Williams (Geo. H.)—27.
NOES—None.

Title read and approved.

Senator Heacock moved that substitute for Assembly Bills Nos. 12, 32, 65, 69, 77, and 242 be stricken from the file and returned to the Assembly.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Senator De Long:

Resolved, That Assembly Bills Nos. 633, 470, 327, 235, 659, 671, and 756 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

Resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Fraser, Goucher, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Preston, Ragsdale, Seawell, Simpson, Streeter, Voorhies, and Williams (Wm. H.)—27.
NOES—None.

Assembly Bill No. 235—An Act to authorize the Governor and Surveyor-General to sell and convey the State's interest in certain lands.

Bill read first and second times.

Amendments by Senator Fraser:

Amend the enacting clause by inserting after the word "California" the word "represented."

Adopted.

Also: Amend section one to read as follows:

Section 1. The Governor and Surveyor-General are hereby authorized and directed to convey, release, quitclaim, and confirm all right, title, and interest of the State of California in and to all that portion of the southeast one quarter of section nineteen, township seven north, range seven east, Mount Diablo meridian, which is not embraced within the exterior boundaries of the lands set apart and heretofore conveyed by the State of California to the Masons and Odd Fellows of Rocklin, Placer County, California, for cemetery purposes, to the respective claimants and occupants thereof as shown by the official map and field notes of survey of lands made by W. S. Graham, County Surveyor of Placer County, California, a work now on file in the office of the Recorder of Placer County, upon making and filing with the Surveyor-General proper affidavit setting forth that the applicant was at the date of survey in the possession of the portion of said land claimed by him, her, or them, or an actual settler thereon, and upon the payment into the State Treasury of the sum of five dollars per acre or fractional part thereof, as shown by said survey and field notes: *provided*, that the present occupants and claimants shall be preferred purchasers of the respective lots and parcels of said lands claimed and occupied by them for the space of one year from the passage of this Act; *and provided further*, that all rights of way for roads, railroads, railroad tracks, and spurs now existing upon or over said lands shall be excepted from the title hereby authorized to be conveyed.

Adopted.

Senator Mead moved a reconsideration of the vote by which the amendment was just adopted.

Ayes and noes were demanded by Senators McGowan, Dargie, and Britt.

The roll was called, and the Senate refused to reconsider by the following vote:

Ayes—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Solano, Dargie, Everett, Goodcher, Harold, Hare, Maher, Mathews, McGowan, Mead, and Welch—15.

Noes—Messrs. Barbo, Campbell of Stanislaus, Carpenter, Crandall, De Long, Denison, Dray, Feusi, Fraser, Hancock, Langford, McComas, Ostrom, Preston, Ragsdale, Seawell, Simpson, Streeter, and Williams (Wm. H.)—19.

Bill ordered printed as amended, and on file for third reading.

URGENCY FILE.

Senate Bill No. 590—An Act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages.

Bill read second time.

Senator McGowan moved that section seven be stricken out.

Adopted.

Bill ordered engrossed and printed as amended.

Substitute for Senate Bill No. 177—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand inhabitants and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885, in relation to the duties and salary of clerks of said Police Courts.

Substitute read first time, and adopted.

Bill ordered printed and engrossed, and on file for third reading.

Senate Bill No. 471—An Act expressing assent of the State of California to the Act of Congress, approved August 30, 1890, entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an Act of Congress, approved July 2, 1862, and to the purposes of the grants of money authorized thereby, and to all the provisions thereof."

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.
NOES—None.

Title read and approved.

PRESENTATION OF PETITIONS.

By Senator Wm. H. Williams, relative to the woman's suffrage bill.
By Senator Crandall, from the unemployed, relative to Senate Bills Nos. 639 and 640.
By Senator Dargie, from the unemployed of Oakland, relative to Senate Bills Nos. 639 and 640.

MOTION.

Senator De Long moved to take up Governor's messages.
So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 12, 1891.

To the Senate of the State of California:

I hereby nominate John W. Freese, of Humboldt County, to the position of Brigadier-General of the Sixth Brigade of the National Guard of California, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 12, 1891.

To the Senate of the State of California:

I hereby nominate John W. B. Montgomery, of Butte County, to the position of Brigadier-General of the Fifth Brigade of the National Guard of California, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 12, 1891.

To the Senate of the State of California:

I hereby nominate Timothy W. Sheehan, of Sacramento County, to the position of Brigadier-General of the Fourth Brigade of the National Guard of California, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 12, 1891.

To the Senate of the State of California:

I hereby nominate Edward P. Johnson, of Los Angeles County, to the position of Brigadier-General of the First Brigade of the National Guard of California, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

ACTION ON GOVERNOR'S MESSAGES.

On motion of Senator Hamill, the appointment of J. W. B. Montgomery was advised and consented to by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—33.
NOES—None.

On motion of Senator McGowan, the Senate advised and consented to the appointment of J. W. Freese, by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Seawell, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—None.

On motion of Senator Dray, the Senate advised and consented to the appointment of T. W. Sheehan, by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.
NOES—None.

On motion of Senator Carpenter, the Senate advised and consented to the appointment of Edward P. Johnson, by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.
NOES—None.

MOTION.

Senator Goucher moved that when the Senate take a recess, it be extended until to-morrow at ten o'clock A. M.
So ordered.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that in accordance with a resolution passed by your honorable body this day, the Assembly herewith returns Senate Concurrent Resolution No. 3 and Assembly Bill No. 692.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

MOTIONS.

Senator Carpenter moved that the rules be suspended, and the Senate take up Assembly Bill No. 692 for reconsideration.
On roll call, the motion was carried by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, Ostrom, Preston, Ragsdale, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—27.
NOES—None.

Senator Carpenter then moved to reconsider the vote by which Assembly Bill No. 692 was finally passed.

On roll call, the Senate decided to reconsider by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—Mr. Voorhies—1.

Senator Carpenter moved that the bill be referred to a special committee of one, to make the following amendment:

Amend the engrossed bill by striking out the word "not" between the words "Act" and "to," occurring on line seventy-three of the printed bill.

So ordered.

President pro tem. Fraser in the chair.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 12, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Assembly Bill No 692, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

CRANDALL, Committee.

Report of special committee adopted.

The roll was called on the final passage of the bill, and the bill passed by the following vote:

AYES—Messrs. Bailey, Banks, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, March 12, 1891.

MR. PRESIDENT: Your Committee on Claims beg leave to make the following report: That they have considered Senate Bill No. 689—and report the same back with amendments, and recommend that it do pass as amended.

HEACOCK, Chairman.

Senator Heacock moved that Senate Bill No. 689 be ordered printed with amendments, and that it be made a special order for Saturday, immediately after the reading of the Journal.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Joint Resolution No. 12—Relative to the removal of Chinese patients from all the asylums for the insane in this State.

Also: Assembly Joint Resolution No. 17—Relating to the compensation of the enumerators who took the population of the State of California for the eleventh census of the United States.

Also: Passed Assembly Bill No. 294—An Act providing for the payment of all moneys in the State Treasury to the credit of Swamp Land District Funds, to the treasuries of the counties wherein the said swamp land districts are situated, and to provide for the

control of the same by the Auditor and Treasurer of said counties, and prescribing the duties of the Controller and Treasurer in relation thereto.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 669—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the power of Boards of Supervisors.

Also: Assembly Bill No. 296—An Act authorizing the Controller to charge the sum of three thousand three hundred and six dollars and seventy-two cents against the General Fund, to adjust a discrepancy existing between the books in his office and those of the office of the State Treasurer, because of payments of warrants from the General Fund which had been drawn against the State Drainage Construction Fund and Construction Fund of Drainage District No. 1.

Also: Senate Bill No. 281—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations.

Also: Senate Bill No. 130—An Act to authorize and direct the sale of the site and buildings of the California Home for the Care and Training of Feeble-Minded Children, in Santa Clara County.

Also: Refused passage to Senate Bill No. 70—An Act to add a new section to the Penal Code of the State of California, to be numbered section eight hundred and thirty, relative to the service of warrants of arrest and other process in criminal cases.

Also: Senate Bill No. 385—An Act to authorize the State Board of Prison Directors to pay for certain skilled labor used in the construction of dam and canal at the Folsom Prison, and making an appropriation therefor.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following:

Assembly Bill No. 713—An Act making an appropriation to pay the deficiency in the appropriation for the Attorney-General, for the forty-second fiscal year, for costs and expenses of suits wherein the State is a party in interest.

Also: Assembly Bill No. 725—An Act making an appropriation to pay the deficiency in the appropriation for expenses that may be incurred by the Attorney-General, for the forty-second fiscal year, in suits in the United States Courts.

Also: Assembly Bill No. 292—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the State Drainage Construction Fund, and also from time to time to transfer to the General Fund all moneys that may hereafter be paid into the State Drainage Construction Fund.

Also: Assembly Bill No. 293—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys to the credit of the Construction Fund of Drainage District No. 1, and also from time to time to transfer to the General Fund all moneys that may hereafter be paid into said Construction Fund of Drainage District No. 1.

Also: Assembly Bill No. 295—An Act providing for the cancellation of certain receipts which were directed by law to be received as cash by the State Treasurer, and authorizing the Controller and Treasurer to make the proper entries in the books of their respective offices.

Also: Assembly Bill No. 493—An Act to amend section two hundred and ninety of the Civil Code, relative to articles of incorporation.

Also: Assembly Bill No. 230—An Act to amend section one hundred and fifty-eight of the Code of Civil Procedure of the State of California, relating to the residences of Judges of the Superior Court.

Also: Concurred in Senate amendments to Assembly Bill No. 692.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 635—An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, and six hundred and forty-seven, of title sixteen, of part four, division first, of the Civil Code, providing for the formation and government of mutual building and loan associations, and to add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six

hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 757—An Act to provide for an appropriation for the contingent expenses of the Assembly.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 12, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bill has been correctly engrossed:

Senate Bill No. 471—An Act expressing assent of the State of California to the Act of Congress, approved August 30, 1890, entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an Act of Congress, approved July 2, 1862, and to the purposes of the grants of moneys authorized thereby, and to all the provisions thereof."

RAGSDALE, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator De Long:

Resolved, That Assembly Bill No. 757 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read, the first, second, and third times, and placed upon its passage.

Resolution adopted by the following vote:

AYES—Messrs. Banks, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Streeter, Voorhies, and Williams (Wm. H.)—31.
NOES—None.

CASE OF URGENCY.

Assembly Bill No. 757—An Act making an appropriation to pay the contingent expenses of the Assembly.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Hamill:

WHEREAS, The Senate of the State of California did, on the tenth day of March, A. D. 1891, pass an Act entitled "An Act to establish a naval battalion, to be attached to the

National Guard of California; and whereas, the Senate of the State of California, recognizing the eminent seamanship and fitness of the Hon. George J. Campbell, does hereby

Resolve, That his Excellency, H. H. Markham, Governor of the State of California, be earnestly and respectfully urged to appoint the Hon. George J. Campbell as Admiral of the naval battalion established by the said Act; and be it

Resolved, That the Secretary of the Senate be and he is hereby instructed to transmit to his Excellency the Governor a copy of these resolutions.

On motion of Senator Maher, the resolution was referred to the Committee on Federal Relations and Immigration.

ADJOURNMENT.

On motion of Senator Goucher, the Senate stood adjourned at five o'clock and twenty minutes P. M.

IN SENATE.

SENATE CHAMBER,
Friday, March 13, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

LEAVE OF ABSENCE.

On motion of Senator Flint, Senator Sprague was granted a leave of absence until noon to-day.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator McComas moved that further reading of the Journal be dispensed with.

So ordered.

REPORT OF STANDING COMMITTEE.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, March 13, 1891.

MR. PRESIDENT: Your Committee on Claims beg leave to make the following report: That they have considered Senate Bill No. 695, and report the same back with amendments, and recommend that it do pass as amended.

HEACOCK, Chairman.

SPECIAL ORDER.

Senate Bill No. 695—An Act for the relief of A. J. Bourn, for personal injuries received by him while in the service of the State.

Bill read first time.

Committee amendments to Senate Bill No. 695:

Strike out of section one, line one, the word and figures "ten" and "$10,000," and insert in lieu thereof the word and figures "five" and "$5,000."

Also: By striking out of section two, line two, the word and figures "ten" and "$10,000," and insert in lieu thereof the word and figures "five" and "$5,000."

Senator Heacock moved the adoption of the committee amendments.

The roll was called on the adoption of the amendments, and the Senate refused to adopt by the following vote:

AYES—Messrs. Bailey, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Fraser, Goucher, Harp, Heacock, and Mead—10.

NOES—Messrs. Banks, Britt, Broderick, Byrnes, Dargie, De Long, Denison, Dray, Everett, Flint, Hamill, Maher, Mahoney, McComas, McGowan, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.

On motion of Senator Seawell, the bill was made a special order for to-morrow, immediately after the first special order set for to-morrow.

COMMUNICATION.

SACRAMENTO, CAL., March 11, 1891.

To the HON. J. B. REDDICK, *Lieutenant-Governor of the State of California:*

HONORABLE SIR: We hereby beg to submit to you the report of the Pastors' Union of the city of Sacramento, which was called to express an opinion on Senate Bill No. 639, introduced by Mr. Mahoney, February 17, 1891, and referred to Committee on Labor and Capital, entitled "An Act to provide for the employment of destitute citizens, and making appropriations therefor."

Also: Substitute for Senate Bill No. 640—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and amended February 3, 1889, and to appropriate money therefor.

We, the clergymen of the city of Sacramento, believe these bills to be of vital importance; and we further believe that the need is urgent and demands immediate action.

We therefore pray your hearty support of the aforesaid bills, that if possible they may become laws during the present session of the Legislature.

Respectfully submited.

C. H. BEECHGOOD,
Secretary pro tem. Pastors' Union.

SPECIAL FILE OF URGENCY CASES.

Senate Bills Nos. 610, 590, 177, and 621 passed temporarily on file.

Senate Bill No. 521—An Act to repeal an Act entitled "An Act making appropriations for the purchase of additional jute machinery, and the erection of additional buildings for the manufacture of jute goods for the State Prison at San Quentin, and other expenses incidental and relating thereto," approved March 24, 1887.

Bill read second time.

The following committee amendment was submitted:

Amend section one, line three, of printed bill, after the word "thereto" and before the word "is," by inserting the following: "Approved March 24, 1887."

Committee amendment adopted, and bill ordered printed and engrossed as amended.

Senate Bill No. 589—An Act to provide for the appointment of Health

Inspectors and Market Inspectors in each municipality of this State having fifty thousand inhabitants and over that number, providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, Mead, Ostrom, Ragsdale, Seawell, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.

NOES—None.

Senator Broderick moved that Senator Carpenter be appointed a special committee of one to make the following amendment to the title:

Amend title by striking out the word "fifty" and inserting the following in lieu thereof: "one hundred;" and also, change "fifty" to "one hundred" wherever it appears in bill.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 13, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 589, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

CARPENTER, Committee.

Report of special committee adopted.

Title as amended read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 13, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 91—An Act to provide for the issuance and sale of State bonds to create a fund for the construction and furnishing by the Board of State Harbor Commissioners of a general ferry and passenger depot in the City and County of San Francisco; to create a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people.

Also: Substitute for Senate Bills Nos. 352 and 499—An Act to amend sections one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and forty-eight, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and sixty, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and seventeen, one thousand six hundred and forty-nine, one thousand six hundred and fifty, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and ninety-six, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-five, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-two, and one thousand seven hundred and ninety-three, and to repeal sections one thousand six hundred and twenty-five, one thousand six hundred and sixty-nine, one thousand six hundred and eighty-two, and four hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools, and to authorize and direct the Controller of State to credit to the School Fund any balance which may stand to the credit of the Grammar School Course Fund.

Also: Senate Bill No. 208—An Act giving the consent of the State of California to the reservation of certain lands by Congress.

Also: Senate Bill No. 136—An Act to amend section seven hundred and ninety-seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

MOTION.

Senator Goucher moved that Senate Bill No. 610 be taken up, considered engrossed, and read the third time and placed on its final passage.

So ordered.

Senate Bill No. 610—An Act to amend an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such districts," by amending sections three, eight and thirteen thereof.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Streeter, Voorhies, and Williams (Geo. H.)—26.

NOES—None.

Title read and approved.

Assembly Bill No. 541—An Act to amend sections two, three, four, five, seven, nine, thirteen, twenty-four, twenty-six, thirty-four, thirty-five, and thirty-seven of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relative to the mode of assessing and otherwise providing for said work.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—None.

Title read and approved.

PRESENTATION OF PETITION.

By Senator Ostrom, concerning the bill relative to the growers of ramie.

URGENCY FILE—(RESUMED).

Senate Bill No. 625—An Act to authorize the State Board of Education to adopt a uniform series of text-books for use in the common schools throughout the State.

Bill read first and second times, and on motion of Senator Dray, further consideration was indefinitely postponed.

Assembly Bill No. 659—An Act to authorize the State Prison Directors of the State of California to employ any unemployed prisoners to construct roads to the State Prison at San Quentin.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Byrnes, Dargie, De Long, Denison, Dray, Everett, Fraser, Hamill, Harp, Langford, Mead, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—23.
NOES—Messrs. Crandall, Heacock, and McComas—3.

Title read and approved.

Assembly Bill No. 671 ordered returned to the Assembly to be correctly engrossed.

Assembly Bill No. 756—An Act making an appropriation to pay the deficiency in the appropriation for support of Insane Asylum at Stockton, for the fortieth fiscal year, ending June 30, A. D. 1889.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, McComas, Mead, Ostrom, Preston, Seawell, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

Title read and approved.

President pro tem. Fraser in the chair.

Senate Bill No. 590—An Act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Langford, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Flint:

Resolved, That the Assembly be requested to return to the Senate substitute for Senate Bill No. 540.

Adopted.

MOTION.

Senator Goucher moved that the Senate take a recess of five minutes, and prepare to go into joint convention with the Assembly, for the purpose of balloting for United States Senator.

So ordered.

RECESS.

At eleven o'clock and fifty-five minutes A. M. the Senate took a recess.

IN JOINT ASSEMBLY.

The hour of twelve o'clock meridian having arrived, the Sergeant-at-Arms of the Assembly announced that the members of the Senate were at the bar of the House.

The Senate and Assembly then went into joint session for the purpose of electing a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866.

Hon. Thos. Fraser, President pro tem. of the Senate, in conjunction with Hon. F. L. Coombs, Speaker of the Assembly, presiding.

The roll of the Senate was called by the Secretary, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

The roll of the Assembly was called by the Chief Clerk, and the following members answered to their names:

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum of both branches of the Legislature present.

READING OF THE JOURNAL.

The Journal of yesterday's proceedings in Joint Assembly was read by the Secretary of the Senate.

Journal approved.

The President pro tem. of the Senate announced that nominations were in order for United States Senator.

Senator Seawell nominated T. W. H. Shanahan.

ROLL CALL.

The Secretary of the Senate called the roll of the Senate, and each Senator present pronounced the name of the person for whom he voted, with the following result:

For Blanchard—Messrs. Fraser, Preston, and Voorhies.
For De Young—Messrs. Broderick, Dargie, Maher, and Williams (Geo. H.).
For Estee—Messrs. Bailey, Byrnes, Campbell of Siskiyou, Carpenter, Flint, Heacock, McComas, McGowan, Ragsdale, Shippee, and Sprague.
For Felton—Messrs. Banks, Campbell of Solano, Crandall, De Long, Everett, Mahoney, Simpson, and Streeter.
For Johnston—Messrs. Dray and Denison.
For Shanahan—Messrs. Britt, Goucher, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, and Williams (Wm. H.).

Whole number of votes cast	38
Geo. G. Blanchard received	3
M. H. De Young received	4
M. M. Estee received	11
Chas. N. Felton received	8
Wm. Johnston received	2
T. W. H. Shanahan received	10

The Clerk of the Assembly called the roll of the House, and each member present voted for his choice for Senator, as follows:

For Blanchard—Messrs. Barnard, Baughman, Bledsoe, Brown, Freeman, Hocking, Hunewill, and Lynch.

For De Young—Messrs. Alexander, Barnett of San Francisco, Coffey, Daly, Dennis, Dibble, Dow, Glynn, Hayes, Hoey, Johnson, Jones, Lowe, Lux, Marion, Phillips, Steltz, Tennis, Tully, and Windrow.

For Estee—Messrs. Ames, Barnett of Sonoma, Beecher, Bert, Bryant, Cargill, Clark, Cram, Culver, Durner, Estey, Hail, Harloe, Hawley, Kellogg, Lewis, Matlock, Murphy, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Mr. Speaker.

For Felton—Messrs. Carter, Galbraith, Gordon, Hersey, Lacey, Wentworth, and Young.

For Johnston—Messrs. Bruner and McCall.

For Wetmore—Mr. Fowler.

For Shanahan—Messrs. Arms, Cunningham, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murman, Renfro, Rice, Robertson, and Stabler.

For English—Mr. Shanahan.

Whole number of votes cast	78
Geo. G. Blanchard received	8
M. H. De Young received	20
M. M. Estee received	23
Chas. N. Felton received	7
Wm. Johnston received	2
Chas. A. Wetmore received	1
T. W. H. Shanahan received	16
W. D. English received	1

ANNOUNCEMENT OF JOINT BALLOT.

The President pro tem. of the Senate then announced the vote on joint ballot, as follows: Whole number of votes cast, one hundred and sixteen; necessary for a choice, fifty-nine; that

Geo. G. Blanchard received	11
M. H. De Young received	24
M. M. Estee received	34
Chas. N. Felton received	15
Wm. Johnston received	4
W. D. English received	1
Chas. A. Wetmore received	1
T. W. H. Shanahan received	26

And that no person had received the number of votes necessary to a choice for United States Senator.

MOTIONS.

Mr. Dibble moved that the Joint Assembly do now adjourn until to-morrow, at twelve o'clock M.

Senator McGowan moved as a substitute that a recess for five minutes be taken.

The ayes and noes were demanded by Messrs. Dibble, Bruner, and Lux.

The roll of Senators was called by the Secretary, with the following result:

AYES—Messrs. Bailey, Byrnes, Flint, Harp, Heacock, McComas, McGowan, Shippee, Sprague, and Welch—10.

NOES—Messrs. Banks, Britt, Broderick, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Maher, Mahoney, Mead, Ostrom, Preston, Seawell, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—25.

The roll of the Assembly was called by the Chief Clerk, with the following result:

AYES—Messrs. Ames, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Cargill, Cram, Durner, Estey, Freeman, Hail, Harloe, Hawley, Kellogg, Lacey, Lewis, Mordecai, Murphy, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Mr. Speaker—24.

NOES—Messrs. Alexander, Arms, Barnard, Barnett of San Francisco, Brown, Bruner, Bryant, Carter, Clark, Coffey, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow,

Dunn, Eakle, Fowler, Galbraith, Garver, Glynn, Gordon, Gould, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Murnan, Phillips, Rentro, Rice, Robertson, Shanahan, Stabler, Steltz, Tennis, Tully, Wentworth, Windrow, and Young—54.

AYES:		
Senate	10	
Assembly	24	
		— 34
NOES:		
Senate	25	
Assembly	54	
		— 79
Total		113

ANNOUNCEMENT OF VOTE.

The President pro tem. of the Senate declared the substitute lost.

The motion to adjourn until twelve o'clock M. to-morrow, carried.

REASSEMBLED.

The Senate at twelve o'clock and forty-five minutes P. M. reassembled.

President pro tem. Fraser in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

RECESS.

At twelve o'clock and fifty minutes P. M., on motion of Senator Goucher, the Senate took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the Senate reassembled.

Hon. Thos. Fraser, President pro tem. of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, and Williams (Geo. H.)—30.

Quorum present.

On motion of Senator G. H. Williams, Assembly Bill No. 212 was made a special order for to-morrow, immediately after the reading of the Journal.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bills Nos. 561 and 87 passed on file.

Assembly Bill No. 670—An Act to define the boundary and provide for the government of Levee District No. 6, of Sutter County, California.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—24.
NOES—None.

Title read and approved.

Assembly Joint Resolution No. 12—Relative to removing Chinese patients from insane asylums.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Campbell of Siskiyou, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

ASSEMBLY JOINT RESOLUTION No. 17.

Relating to the compensation of the enumerators who took the population of the State of California for the eleventh census of the United States.

WHEREAS, By the terms of an Act of Congress of the United States, entitled "An Act to provide for taking the eleventh and subsequent censuses," approved March first, eighteen hundred and eighty-nine, it was the evident intention of Congress to adequately compensate the enumerators appointed in pursuance of the said Act; and whereas, it has come to the knowledge of the Legislature of the State of California that the said enumerators for the State of California have, in many instances, received for their services the most meager compensation, and in some instances have performed their labor at an actual loss; and whereas, said enumerators were subject to a penal liability if they failed to perform their duties, as by the said Act provided: and whereas, justice demands that the United States discharge her obligations as becomes a great nation; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That Congress be requested to pass an Act adequately compensating the enumerators for the State of California under the eleventh census.

Resolved, That the Governor of the State of California be requested to forward a copy of these resolutions to each of our Senators and Representatives in Congress, one to the Secretary of the Interior, and one to the Superintendent of the Census.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Campbell of Siskiyou, Crandall, Denison, Everett, Flint, Fraser, Hamill, Langford, Maher, Mahoney, McComas, Mead, Shippee, Simpson, Streeter, Voorhies, Welch, and Williams (Wm. H.)—21.
NOES—None.

Assembly Bill No. 294—An Act providing for the payment of all moneys in the State Treasury to the credit of Swamp Land District Funds, to the treasuries of the counties wherein the said swamp land districts are situated, and to provide for the control of the same by the Auditor and Treasurer of said counties, and prescribing the duties of the Controller and Treasurer in relation thereto.

Bill read first time.

Assembly Bill No. 669—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relative to the power of Boards of Supervisors.

Bill read first time.

Assembly Bill No. 296—An Act authorizing the Controller to charge the sum of three thousand three hundred and six dollars and seventy-two cents against the General Fund, to adjust a discrepancy existing between the books in his office and those of the office of the State Treasurer, because of payments of warrants from the General Fund which had been drawn against the State Drainage Construction Fund and Construction Fund of Drainage District No. 1.

Bill read first time.

Assembly Bill No. 633—An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, and six hundred and forty-seven of title sixteen, of part four, division first, of the Civil Code, providing for the formation and government of mutual building and loan associations, and to add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations.

Bill read first time.

Assembly Bill No. 713—An Act making an appropriation to pay the deficiency in the appropriation for the Attorney-General for the forty-second fiscal year, for costs and expenses of suits wherein the State is a party in interest.

Bill read first time.

Assembly Bill No. 723—An Act making an appropriation to pay the deficiency in the appropriation for expenses that may be incurred by the Attorney-General, for the forty-second fiscal year, in suits in the United States Courts.

Bill read first time.

Assembly Bill No. 292—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the State Drainage Construction Fund, and also from time to time to transfer to the General Fund all moneys that may hereafter be paid into the State Drainage Construction Fund.

Bill read first time.

Assembly Bill No. 293—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys to the credit of the Construction Fund of Drainage District No. 1, and also from time to time to transfer to the General Fund all moneys that may hereafter be paid into said Construction Fund of Drainage District No. 1.

Bill read first time.

Assembly Bill No. 295—An Act providing for the cancellation of certain receipts which were directed by law to be received as cash by the State Treasurer, and authorizing the Controller and Treasurer to make the proper entries in the books of their respective offices.

Bill read first time.

Assembly Bill No. 493—An Act to amend section two hundred and ninety of the Civil Code, relative to articles of incorporation.

Bill read first time.

RESOLUTION—(OUT OF ORDER).

By Senator Streeter:

Resolved, That Assembly Bill No. 230 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requir-

ing that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times upon one day, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—None.

CASE OF URGENCY.

Assembly Bill No. 230—An Act to amend section one hundred and fifty-eight of the Code of Civil Procedure of the State of California, relating to the residence of Judges of the Superior Court.

Bill read first and second times.

Amendments by Senator Streeter:

Amend by adding to end of section the words: "*provided*, that one Judge shall reside within two miles of the Court House."

Adopted.

By Senator Heacock:

Amend by adding to end of section, as amended, the following: "*provided further*, this Act shall not apply to Superior Judges in counties of the fifty-third class."

Adopted.

Bill ordered to print.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 13, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Constitutional Amendment No. 23—Proposed amendment to article thirteen of the Constitution, relative to revenue and taxation.

Also: Senate Bill No. 521—An Act to repeal an Act entitled "An Act making appropriations for the purchase of additional jute machinery, and the erection of additional buildings for the manufacture of jute goods, for the State Prison at San Quentin, and other expenses incidental and relating thereto," approved March 24, 1887.

Also: Senate Bill No. 590—An Act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, large beer, weiss beer, beer, white beer, or other beverages.

Also: Senate Bill No. 610—An Act to amend an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such districts," by amending sections three, eight, and thirteen thereof.

RAGSDALE, Chairman.

RESOLUTION.

By Senator Flint:

Resolved, That Assembly Bill No. 633 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—32.
NOES—None.

CASE OF URGENCY.

Assembly Bill No. 633—An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, and six hundred and forty-seven of title sixteen, of part four, division first, of the Civil Code, providing for the formation and government of mutual building and loan associations, and to add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations.

Bill read second time.

Amendments by Senator Flint:

Amend by inserting in section two, line forty-six, after the word "association," the words: "*provided*, that building and loan associations heretofore incorporated may continue to charge and dispose of such exchange and transfer fees as are prescribed by the by-laws of such corporation."

Adopted.

Also: Amend by striking out of title, line two, after the words "Civil Code," the words "providing for the formation and government of mutual building and loan associations."

Adopted.

Bill ordered to print.

SPECIAL ORDER.

Senator Ostrom moved a reconsideration of the vote whereby Senate Bill No. 265 was refused passage.

CALL OF THE SENATE.

On motion of Senator Ostrom, a call of the Senate was ordered.

Senators Berry, Campbell of Solano, McGowan, and Wilson were granted leave of absence.

The roll was called, and the following Senators answered to their names:

Messrs. Banks, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

On motion of Senator Hamill, further proceedings under the call of the Senate were dispensed with.

After the roll had been called on the motion to reconsider by Senator Ostrom, and before the vote was announced, Senator Ostrom moved a call of the Senate.

The ayes and noes were demanded by Senators Goucher, Ostrom, and W. H. Williams.

The roll was called, and the motion prevailed by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Crandall, Dargie, De Long, Denison, Dray, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.

NOES—Messrs. Everett and Voorhies—2.

The roll was then called, and the following Senators answered to their names:

Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

The Chair announced that Senators Bailey and Seawell were absent without leave, whereupon the Sergeant-at-Arms was directed to close the doors and windows and to bring the absentees before the bar of the Senate.

Senator Seawell was presented at the bar of the Senate, and was excused for his absence.

Senator Carpenter moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The names of absentees were called, and the motion to reconsider was lost by the following vote:

AYES—Messrs. Crandall, De Long, Dray, Flint, Heacock, Langford, Mead, Ostrom, Preston, Ragsdale, Shippee, and Streeter—12.

NOES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, Denison, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, Simpson, Sprague, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—22.

REQUEST.

Senator De Long asked consent to introduce a bill.

The roll was called, and permission granted by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Sprague, Streeter, Voorhies, Welch, and Williams (Wm. H.)—30.

NOES—None.

INTRODUCTION OF BILL.

By Senator De Long: Senate Bill No. 696—An Act authorizing the Governor, Secretary of State, and the Attorney-General of the State of California, constituting the State Board of Examiners, to receive and receipt for, on behalf of the State of California, the money due the State from the United States Government under an Act of Congress known as the "Direct Tax Bill," and authorizing the Governor, Secretary of State, and Attorney-General to execute, upon the part of the State of California, a release in full satisfaction of all claims against the United States on account of the levy and collecting of the direct tax.

LEAVE OF ABSENCE.

Senator Seawell was granted a leave of absence for the balance of the day.

RESOLUTION.

By Senator De Long:

Resolved, That Senate Bill No. 696 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—None.

Senate Bill No. 696 read first and second times, ordered to print and engrossment, and on motion of Senator De Long, was made a special order for to-morrow, at ten o'clock and thirty minutes A. M.

REQUEST.

Senator Preston asked consent to introduce a bill.
The roll was called, and permission granted by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—33.
NOES—None.

INTRODUCTION OF BILL.

By Senator Preston:

Senate Bill No. 697—An Act to authorize the use of the ballot paper now the property of the State.

RESOLUTION.

By Senator Preston:

Resolved, That Senate Bill No. 697 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provison of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first and second times upon one day, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Everett, Flint, Fraser, Heacock, Langford, Maher, McComas, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

Senate Bill No. 697 read first and second times, ordered to print and engrossment, and on motion of Senator Preston, was made a special order for to-morrow, at ten o'clock and thirty minutes A. M.

REQUEST.

Senator Heacock asked consent to introduce a bill.

The roll was called, and permission granted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Dray, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Welch, and Williams (Wm. H.)—28.

NOES—None.

INTRODUCTION OF BILL.

By Senator Heacock: Senate Bill No. 698—An Act to appropriate five thousand dollars for the purpose of sending an expert to Australia, New Zealand, and adjacent countries, to collect and import into this State, parasites and predaceous insects.

Bill read first time, and ordered to print.

MOTION.

Senator Carpenter moved that the Secretary call the roll alphabetically, and that as each Senator is called he submit the number of a bill to be made a case of urgency.

So ordered.

Whereupon, the roll was called, and the following Senators named bills to be made cases of urgency, as follows:

Senator Bailey named Senate Bill No. 258.
Senator Banks named Senate Bill No. 666.
Senator Britt named Senate Bill No. 605.
Senator Broderick named Senate Bill No. 243.
Senator Byrnes named Senate Bill No. 256.
Senator Campbell of Solano named Senate Bill No. 153.
Senator Campbell of Siskiyou named Senate Bill No. 270.
Senator Carpenter named Senate Bill No. 348.
Senator Crandall named Senate Bill No. 536.
Senator Dargie named Senate Bill No. 199.
Senator De Long named Senate Bills Nos. 306, 73, 685, 313, 680.
Senator Denison named Senate Bill No. 329.
Senator Dray named Senate Bill No. 361.
Senator Everett named Senate Bill No. 644.
Senator Flint named Senate Bill No. 261.
Senator Fraser named Senate Bill No. 387.
Senator Goucher named substitute for Senate Bill No. 233.
Senator Harp named Senate Bill No. 607.
Senator Heacock named Senate No. 698.
Senator Langford named Senate Bill No. 689.
Senator Maher named Senate Bill No. 640.
Senator Mahoney named Senate Bill No. 468.
Senator McComas named Senate Bill No. 627.
Senator McGowan named substitute for Senate Bill No. 288.
Senator Mead named Senate Bill No. 365.
Senator Ostrom named Senate Bill No. 125.
Senator Preston named Senate Bill No. 655.
Senator Ragsdale named Senate Bill No. 546.
Senator Shippee named Senate Bill No. 451.
Senator Simpson named Senate Bill No. 531.

Senator Sprague named Senate Bill No. 534.
Senator Streeter named Senate Bill No. 567.
Senator Voorhies named Senate Bill No. 686.
Senator Welch named Senate Bill No. 260.
Senator Wm. H. Williams named Senate Bill No. 672.
Senator Geo. H. Williams named Senate Bill No. 145.
Senator Wilson named Senate Bill No. 416.

RESOLUTION.

By Senator Goucher:

Resolved, That Senate Bill No. 694 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Williams (Geo. H.)—28.
NOES—None.

Senate Bill No. 694—An Act to amend section one thousand five hundred and ninety-nine of an Act entitled "An Act to establish a Political Code," providing for certain exceptions in school elections.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

Title read and approved.

Senator Hamill gave notice that on to-morrow he would move to reconsider the vote whereby the further consideration of Senate Bill No. 625 was indefinitely postponed.

ADJOURNMENT.

Senator Dray moved to adjourn.

The ayes and noes were demanded by Senators Campbell of Solano, Broderick, and Shippee.

The roll was called, and the motion prevailed by the following vote:

AYES—Messrs. Bailey, Banks, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, McComas, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—25.
NOES—Messrs. Britt, Broderick, Campbell of Solano, Maher, Mahoney, and Mead—6.

Whereupon, the Senate, at five o'clock and twenty-five minutes P. M., stood adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, March 14, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Campbell of Siskiyou moved that further reading of the Journal be dispensed with.

So ordered.

COMMUNICATION.

HEADQUARTERS SECOND BRIGADE, NATIONAL GUARD OF CALIFORNIA,
San Francisco, March 13, 1891.

The President of the Senate, Senate Chamber, Sacramento, California:

DEAR SIR: Having taken charge of the funeral procession of the late Senator Hearst, at the request of his family, I have the honor to invite yourself, and the Senators desiring to attend the funeral services, to meet at the Palace Hotel, in San Francisco, in the Gentlemen's Reception Room, at one o'clock, on Sunday next, from whence they will be escorted to the church, and assigned their proper places. Please telegraph me number who will attend.

Very respectfully,

JOHN H. DICKINSON.

MOTIONS.

Senator Heacock moved that the Secretary be instructed to acknowledge the receipt of the communication, and that the invitation be accepted.

So ordered.

Senator Maher moved to reconsider the vote by which Senate Bill No. 589 was finally passed on yesterday.

On roll call, the Senate decided to reconsider by the following vote:

AYES—Messrs. Bailey, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.

NOES—Messrs. Goucher and Harp—2.

Senate Bill No. 589—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having fifty thousand inhabitants and over that number, providing how such Inspectors shall be appointed and designated as officers

of such municipality, and prescribing the duties and fixing the compensation of such Inspectors.

Senator Maher moved that Senator Voorhies be appointed a special committee of one to make the following amendment:

Amend title by striking out the word "fifty" and inserting the following in lieu thereof: "one hundred;" and also, change "fifty" to "one hundred" wherever it appears in bill.

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 14, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 589, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

VOORHIES, Committee.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bailey, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Flint, Fraser, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—28.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Seawell:

Resolved, That Senate Bill No. 695 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

On roll call, the resolution was adopted by the following vote:

AYES—Messrs. Bailey, Britt, Byrnes, Campbell of Siskiyou, Carpenter, De Long, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.

NOES—Mr. Goucher—1.

Senate Bill No. 695—An Act for the relief of A. J. Bourn, for personal injuries received by him while in the service of the State.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Britt, Broderick, Byrnes, Campbell of Siskiyou, De Long, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—Messrs. Bailey, Campbell of Solano, Carpenter, Crandall, Goucher, and Ostrom—6.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Ostrom:

Resolved, That all committee clerks of this Senate (with the exception of one clerk for the Judiciary Committee, and one clerk for the Committee on Finance) be and the same are discharged from this date, March 14, 1891.

Senator Ostrom moved the adoption of the resolution.

Senator Voorhies moved to amend by referring the resolution to Committee on Attachés, Contingent Expenses, and Mileage.

The roll was called, and the resolution was referred by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Flint, Hamill, Harp, Maher, Mahoney, McCoy, McGowan, Ragsdale, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—Messrs. Britt, Fraser, Goucher, Hewitt, Mead, Ostrom, Seawell, and Shippee—8.

REPORT OF STANDING COMMITTEE.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 14, 1891.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 561—An Act making appropriations for the support of the Government of the State of California for the forty-third and forty-fourth fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

DE LONG, Chairman.

MOTION.

On motion of Senator De Long the report was ordered printed in skeleton form.

Assembly Bill No. 521—An Act to amend sections three thousand four hundred and sixty-two and three thousand four hundred and sixty-three of the Political Code of this State, relating to the filing with County Treasurers and County Recorders of lists of charges assessed by Commissioners of Assessment in reclamation districts, and making said charges a lien upon the lands assessed.

Bill read third time.

CALL OF THE SENATE.

Senator Campbell of Solano moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Hewitt, Maher, McCoy, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—33.

LEAVE OF ABSENCE.

Senator Seawell asked leave of absence for Senator Langford for to-day.

Granted.

On motion of Senator De Long, further proceedings under the call of the Senate were dispensed with.

The roll was called on the final passage of the bill, with the following result:

AYES—Messrs. Bailey, Campbell of Solano, Carpenter, Crandall, Dargie, Denison, Dray, Flint, Fraser, Hamill, Maher, McCoy, and Voorhies—15.

NOES—Messrs. Banks, Britt, Broderick, Campbell of Siskiyou, De Long, Everett, Goucher, Harp, Hewitt, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—23.

On motion of Senator Geo. H. Williams, Assembly Bill No. 212 was taken up.

Senator Heacock moved that the Senate now reconsider the vote by which it decided to consider Assembly Bill No. 212.

The roll was called, and the Senate refused to reconsider the motion by the following vote:

AYES—Messrs. Campbell of Siskiyou, Crandall, Dray, Heacock, Maher, McComas, Ostrom, Preston, Voorhies, Welch, and Williams (Wm. H.)—11.
NOES—Messrs. Bailey, Banks, Britt, Carpenter, Dargie, Everett, Fraser, Goucher, Hamill, Harp, Mahoney, Mead, Ragsdale, Seawell, Sprague, and Williams (Geo. H.)—16.

Assembly Bill No. 212—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Bill read second time.

Senator Crandall moved to amend the title by adding to the end thereof: "and to legalize gambling."

Ayes and noes were called for on the adoption of the resolution by Senators Crandall, Voorhies, and Preston, and the amendment lost by the following vote:

AYES—Messrs. Campbell of Siskiyou, Crandall, De Long, Dray, Heacock, Maher, McComas, Ostrom, Preston, and Shippee—10.
NOES—Messrs. Bailey, Banks, Britt, Byrnes, Carpenter, Dargie, Denison, Everett, Fraser, Goucher, Hamill, Harp, Mahoney, McGowan, Ragsdale, Seawell, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—21.

Senator Voorhies moved to strike out the enacting clause of the bill.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Campbell of Siskiyou, Crandall, Denison, Dray, Heacock, McComas, McGowan, Ostrom, Preston, Shippee, and Voorhies—11.
NOES—Messrs. Bailey, Banks, Britt, Byrnes, Carpenter, Dargie, De Long, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, Mead, Seawell, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—21.

Senator Geo. H. Williams moved to make the further consideration of Assembly Bill No. 212 a special order for Monday, at three o'clock and thirty minutes P. M.

So ordered.

Senate Bill No. 696—An Act authorizing the Governor, Secretary of State, and the Attorney-General of the State of California, constituting the State Board of Examiners, to receive and receipt for, on behalf of the State of California, the moneys due the State from the United States Government under an Act of Congress known as the "Direct Tax Bill," and authorizing the Governor, Secretary of State, and Attorney-General to execute, upon the part of the State of California, a release in full satisfaction of all claims against the United States on account of the levy and collection of the direct tax.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Sprague, Streeter, Voorhies, Welch, and Williams (Wm. H.)—28.
NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Wm. H. Williams:

Resolved, That the roll be called, and each Senator, as his name is called, express his intention or not of attending the funeral of the late United States Senator George Hearst, in response to the communication from John H. Dickinson, so that the Secretary may telegraph the number of Senators who will attend.

The roll was called, with the following result, those voting aye signifying their intention to attend:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Simpson, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—Messrs. Berry, De Long, Dray, Harp, Ostrom, Seawell, Shippee, Sprague, Streeter, and Wilson—10.

Senate Bill No. 697—An Act to authorize the use of the ballot paper now the property of the State.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Hamill, Heacock, Maher, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, and Welch—30.
NOES—None.

Title read and approved.

Assembly Bill No. 235—An Act to authorize the Governor and Surveyor-General to sell and convey the State's interest in certain lands.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—27.
NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 14, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 694—An Act to amend section one thousand five hundred and ninety-nine of an Act entitled "An Act to establish a Political Code," providing for certain exceptions in school elections.

Also: Senate Bill No. 696—An Act authorizing the Governor, Secretary of State, and Attorney-General of the State of California, constituting the State Board of Examiners, to receive and receipt for, on behalf of the State of California, the moneys due the State from the United States Government under an Act of Congress known as the "Direct Tax Bill," and authorizing the Governor, Secretary of State, and Attorney-General to execute, upon the part of the State of California, a release in full satisfaction of all claims against the United States on account of the levy and collection of the direct tax.

Also: Senate Bill No. 697—An Act to authorize the use of the ballot paper now the property of the State.

RAGSDALE, Chairman.

President pro tem. Fraser in the chair.

MOTION.

Senator Goucher moved to make the consideration of Senate Bill No. 648 a special order for Monday, at three o'clock and thirty minutes P. M.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Senator Banks:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of W. H. Carlson for the sum of fifty dollars, payable out of the fund for the contingent expenses of the Senate, for the engrossing of the resolutions of respect of the late Senator Geo. Hearst, adopted by the Senate on March 9, 1891.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Senator Goucher moved that the Senate take a recess of five minutes, and prepare to go into joint convention with the Assembly, for the purpose of balloting for United States Senator.

So ordered.

RECESS.

At eleven o'clock and fifty-five minutes A. M. the Senate took a recess.

IN JOINT ASSEMBLY.

The hour of twelve o'clock meridian having arrived, the Sergeant-at-Arms of the Assembly announced that the members of the Senate were at the bar of the House.

The Senate and Assembly then went into joint session for the purpose of electing a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866.

Hon. Thos. Fraser, President pro tem. of the Senate, in conjunction with Hon. F. L. Coombs, Speaker of the Assembly, presiding.

The roll of the Senate was called by the Secretary, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

The roll of the Assembly was called by the Chief Clerk, and the following members answered to their names:

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Weston, Windrow, Young, and Mr. Speaker.

Quorum of both branches of the Legislature present.

READING OF THE JOURNAL.

The Journal of yesterday's proceedings in Joint Assembly was read by the Secretary of the Senate.

Journal approved.

The President pro tem. of the Senate then announced that nominations for United States Senator were in order.

NOMINATIONS.

Mr. Doty nominated W. D. English.

ROLL CALL.

The Secretary of the Senate called the roll of the Senate, and each Senator present pronounced the name of the person for whom he voted, as follows:

For Blanchard—Messrs. Fraser, Preston, and Voorhies.
For De Young—Messrs. Broderick, Dargie, Maher, and Williams (Geo. H.).
For Estee—Messrs. Bailey, Byrnes, Campbell of Siskiyou, Carpenter, Flint, Heacock, McComas, McGowan, Ragsdale, Shippee, Simpson, and Sprague.
For Felton—Messrs. Banks, Campbell of Solano, Crandall, De Long, Everett, Mahoney, and Streeter.
For Johnston—Messrs. Denison and Dray.
For English—Messrs. Britt, Goucher, Hamill, Harp, Mead, Ostrom, Seawell, Welch, and Williams (Wm. H.).

Whole number of votes cast	37
Geo. G. Blanchard received	3
W. D. English received	9
M. H. De Young received	4
M. M. Estee received	12
Chas. N. Felton received	7
Wm. Johnston received	2

The Clerk of the Assembly called the roll of the House, and each member present voted for his choice for Senator, as follows:

For Blanchard—Messrs. Barnard, Baughman, Bledsoe, Brown, Freeman, Hocking, Hunewill, Johnson, and Lynch.
For De Young—Messrs. Alexander, Barnett of San Francisco, Colley, Daly, Dennis, Dibble, Dow, Glynn, Hayes, Hoey, Jones, Lowe, Lux, Marion, Phillips, Steltz, Tennis, Tully, and Windrow.
For Estee—Messrs. Ames, Barnett of Sonoma, Beecher, Bert, Bryant, Cargill, Cram, Culver, Durner, Estey, Hail, Harloe, Hawley, Kellogg, Lewis, Matlock, Murphy, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Mr. Speaker.
For Felton—Messrs. Carter, Galbraith, Gordon, Hersey, Lacey, and Young.
For Johnston—Messrs. Bruner and McCall.
For Wetmore—Mr. Fowler.
For English—Messrs. Arms, Cunningham, Doty, Dunn, Garver, Gould, Martin, Mathews, Mordecai, Murnan, Rice, Robertson, Shanahan, and Stabler.

During the roll call Mr. Matlock announced the absence of Mr. Clark, and stated that Mr. Clark would have voted for M. M. Estee were he present.

Mr. Hersey announced the absence of Mr. Wentworth, and stated that Mr. Wentworth would have voted for C. N. Felton were he present.

Mr. Gould announced the absence of Mr. Jackson, and stated that Mr. Jackson would have voted for W. D. English were he present.

Whole number of votes cast	73
Mr. Blanchard received	9
Mr. English received	14
Mr. De Young received	19
Mr. Estee received	22
Mr. Felton received	6
Mr. Johnston received	2
Mr. Wetmore received	1

The President pro tem. of the Senate then announced the whole number of votes cast to be one hundred and ten; necessary for a choice, fifty-six; and that

Geo. G. Blanchard received	12
M. H. De Young received	23
M. M. Estee received	34
Chas. N. Felton received	13
Wm. Johnston received	4
W. D. English received	23
Chas. A. Wetmore received	1

Mr. Dibble moved that the Joint Assembly do now adjourn until twelve o'clock M., Monday.

Carried.

REASSEMBLED.

The Senate, at twelve o'clock and forty minutes P. M., reassembled.

President pro tem. Fraser in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

ADJOURNMENT.

Senator Goucher moved that the Senate do now adjourn until five minutes before twelve o'clock A. M. on Monday next.

The motion was carried unanimously, and the Senate stood adjourned at twelve o'clock and forty-five minutes P. M.

IN SENATE.

SENATE CHAMBER,
Monday, March 16, 1891.

Senate met pursuant to adjournment.

Hon. Thos. Fraser, President pro tem. of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Preston moved that further reading of the Journal be dispensed with.

So ordered.

Senator Preston moved that the Senate now proceed to the Assembly Chamber, and go into joint convention with the Assembly for the purpose of balloting for United States Senator.

So ordered.

IN JOINT ASSEMBLY.

On Monday, March 16, 1891, at twelve o'clock M., the Senate and Assembly met in joint session for the purpose of electing a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner for holding elections for Senators in Congress," approved July 25, 1866.

Hon. Thomas Fraser, President pro tem. of the Senate, in conjunction with Hon. F. L. Coombs, Speaker of the Assembly, presiding.

The roll of the Senate was called by the Secretary, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (G. H.).

The roll of the Assembly was called by the Chief Clerk, and the following members answered to their names:

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Bryant, Cargill, Carter, Clark, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hunewill, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum of both branches of the Legislature present.

READING OF THE JOURNAL.

The Journal of Saturday's proceedings in Joint Assembly was read by the Secretary of the Senate.

Journal approved.

The President pro tem. of the Senate then announced that nominations for United States Senator were in order.

NOMINATION.

Senator Mead nominated John P. Irish.

ROLL CALL.

The Secretary of the Senate called the roll of the Senate, and each Senator present pronounced the name of the person for whom he voted, as follows:

For Blanchard—Messrs. Fraser, Preston, and Voorhies.

For De Young—Messrs. Broderick, Dargie, Denison, Maher, and Williams (Geo. H.).

For Estee—Messrs. Bailey, Byrnes, Campbell of Siskiyou, Carpenter, Dray, Flint, Heacock, McComas, McGowan, Ragsdale, Shippee, Simpson, and Sprague.

For Felton—Messrs. Banks, Campbell of Solano, Crandall, De Long, Everett, Mahoney, and Streeter.

For Irish—Messrs. Britt, Hamill, Harp, Mead, Ostrom, Seawell, and Welch.

Whole number of votes cast	35
Mr. Blanchard received	3
Mr. Irish received	7
Mr. De Young received	5
Mr. Estee received	13
Mr. Felton received	7

The Clerk of the Assembly called the roll of the House, and each member present voted for his choice for Senator, as follows:

For Blanchard—Messrs. Barnard, Baughman, Bledsoe, Brown, Bruner, Hocking, Hunewill, and Johnson.
For Perkins—Mr. Cram.
For De Young—Messrs. Alexander, Barnett of San Francisco, Coffey, Daly, Dennis, Dibble, Dow, Glynn, Hayes, Jones, Lowe, Lux, Lynch, Marion, Phillips, Steltz, Tennis, Tully, and Windrow.
For Estee—Messrs. Ames, Barnett of Sonoma, Bert, Bryant, Cargill, Clark, Culver, Durner, Estey, Freeman, Hail, Harloe, Hawley, Kellogg, Lacey, Lewis, Matlock, McCall, Murphy, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Mr. Speaker.
For Felton—Messrs. Beecher, Carter, Galbraith, Gordon, Hersey, Wentworth, and Young.
For Wetmore—Mr. Fowler.
For Irish—Messrs. Arms, Cunningham, Doty, Dunn, Garver, Gould, Martin, Mathews, Mordecai, Murnan, Renfro, Rice, Robertson, Shanahan, and Stabler.

Mr. Barnett of San Francisco announced the absence of Mr. Hoey, and stated that Mr. Hoey would have voted for M. H. De Young were he present.

Whole number of votes cast	75
Mr. Blanchard received	8
Mr. Irish received	15
Mr. De Young received	19
Mr. Estee received	24
Mr. Felton received	7
Mr. Wetmore received	1
Mr. Perkins received	1

The President pro tem. of the Senate then announced the whole number of votes cast to be one hundred and ten; necessary for a choice, fifty-six; and that

Geo. G. Blanchard received	11
M. H. De Young received	24
M. M. Estee received	37
Chas. N. Felton received	14
John P. Irish received	22
Chas. A. Wetmore received	1
Geo. C. Perkins received	1

Senator Voorhies moved that the Joint Assembly do now adjourn until to-morrow, at twelve o'clock M.

Carried.

REASSEMBLED.

The Senate, at twelve o'clock and forty minutes P. M., reassembled.

President pro tem. Fraser in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Banks, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, and Williams (Geo. H.).

Quorum present.

RECESS.

On motion of Senator Mead, the Senate took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (Geo. H.).

Quorum present.

RESOLUTION—(OUT OF ORDER).

By Senator Ostrom:

Resolved by the Senate, the Assembly concurring, That the twenty-ninth session of the Legislature of the State of California adjourn sine die on Saturday, March 22, 1891, at twelve o'clock M.

Senator Everett moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (Geo. H.).

Senators Langford, Goucher, and Seawell were granted leave of absence on account of sickness.

Senator Ostrom moved that further proceedings under the call of the Senate be dispensed with.

Lost.

Senators Broderick, Ragsdale, De Long, and W. H. Williams being absent, the Sergeant-at-Arms was instructed to bring them before the bar of the Senate.

Senator Ostrom moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

RESOLUTION.

Resolved, That Senate Bills Nos. 258, 666, 605, 243, 256, 153, 270, 348, 536, 199, 306, 685, 680, 329, 361, 644, 261, 387, 233, 670, 698, 689, 640, 468, 627, 288, 505, 125, 655, 546, 451, 531, 686, 672, 416, 534, 567, 260, and 145 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (Geo. H.)—31.

NOES—None.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 14, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 444—An Act to amend section six hundred and forty-seven of the Penal Code, concerning vagrants.

Also: Substitute for Senate Bills Nos. 8, 57, 123, and 369—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and eighty-nine, one thousand one hundred and ninety, one thousand one hundred and ninety-one, one thousand one hundred and ninety-two, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, one thousand one hundred and ninety-six, one thousand one hundred and ninety-seven, one thousand one hundred and ninety-eight, one thousand one hundred and ninety-nine, one thousand two hundred, one thousand two hundred and one, one thousand two hundred and two, one thousand two hundred and three, one thousand two hundred and four, one thousand two hundred and five, one thousand two hundred and six, one thousand two hundred and seven, one thousand two hundred and eight, one thousand two hundred and nine, one thousand two hundred and ten, one thousand two hundred and eleven, one thousand two hundred and twelve, one thousand two hundred and fifty-seven, one thousand two hundred and fifty-eight, and one thousand two hundred and fifty-nine of the Political Code, and to add four new sections thereto, to be numbered one thousand two hundred and thirteen, one thousand two hundred and fourteen, one thousand two hundred and fifteen, and one thousand two hundred and sixteen, all in relation to the conduct of elections in this State.

And have delivered the same to the Governor.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Substitute for Senate Bill No. 177—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand inhabitants and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885.

Also: Senate Bill No. 695—An Act for the relief of A. J. Bourn, for personal injuries received by him while in the service of the State.

RAGSDALE, Chairman.

The roll was called on the resolution by Senator Ostrom, and it was lost by the following vote:

AYES—Messrs. Dray, Fraser, Hamill, Harp, Mead, Ostrom, Preston, and Voorhies—8.
NOES—Messrs. Bailey, Banks, Britt, Campbell of Solano, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Maher, Mahoney, McComas, McGowan, Simpson, Sprague, Streeter, Welch, and Williams (Geo. H.)—20.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 561—An Act making appropriations for the support of the government of the State of California for the forty-third and forty-fourth fiscal years.

Bill read first time.

RESOLUTION—(OUT OF ORDER).

By Senator Heacock:

Resolved, That Assembly Bill No. 561 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Senator Carpenter moved to amend by passing the bill on file, and that it retain its place.

Amendment lost.

The roll was called, and pending the announcement of the vote, Senator Dray moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (Geo. H.).

Senators Broderick, Wm. H. Williams, Ragsdale, and Mahoney were found to be absent without leave.

The Sergeant-at-Arms was directed to bring them before the bar of the Senate.

Senator Preston moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

Senator Heacock's resolution was lost by the following vote:

AYES—Messrs. Bailey, Byrnes, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Streeter, Voorhies, and Williams (Geo. H.)—24.

NOES—Messrs. Banks, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, and Welch—7.

Substitute for Assembly Bill No. 87—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand eight hundred, three thousand eight hundred and sixteen, and three thousand eight hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Bill read third time.

Senator Crandall moved that Senator Preston be appointed a special committee of one to make the following amendment:

Amend by striking out of section twenty-two, line five, the word "fifty," and insert the word "twenty-five;" also, strike out of line eight of said section the words "and the money received for delinquent poll tax;" and in lines nine and ten strike out the following: "the percentage allowed for the collection of delinquent poll tax shall be paid to the Collector, and the cash to the parties entitled thereto."

So ordered.

REPORT OF SPECIAL COMMITTEE.

MR. PRESIDENT: Your Special Committee of one, to whom was referred substitute for Assembly Bill No. 87, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

PRESTON, Committee.

Report of special committee adopted.

Senator Crandall moved that Senator Preston be appointed a special committee of one to make the following amendment:

Amend by inserting in section twenty-three, line six, after the word "funds," the following words: "belonging to the State;" and in line seven, after the word "business:" "on and including the first Monday of the months of December, March, May, and August."

So ordered.

REPORT OF COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 16, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred substitute for Assembly Bill No. 87, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

PRESTON, Committee.

Report of special committee of one adopted.

Bill ordered printed as amended, and on file for third reading.

INTRODUCTION OF RESOLUTION—(OUT OF ORDER).

By Senator Fraser: Senate Joint Resolution No. 27—Relative to surveying and establishing the eastern boundary line of the State of California.

Resolution ordered printed.

Senator Wm. H. Williams moved to make the special order for this hour a special order for to-morrow, at three o'clock and thirty minutes P. M.

So ordered.

Senator McGowan moved to take up Senate Bill No. 648, special order for this hour (three o'clock and thirty minutes P. M.).

So ordered.

Senate Bill No. 648—An Act to promote silk culture in the penal, reformatory, and charitable institutions of the State of California, and to encourage sericulture throughout the State, and to provide for the expenses thereof.

Bill read second time, and, on motion of Senator McGowan, made a special order for Tuesday, at eleven o'clock A. M.

Senator Preston moved to take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 18—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885, and to make said Act as amended apply to cities having ten thousand and under one hundred thousand inhabitants.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 741—An Act for the relief of Colonel Jonathan D. Stevenson.

The Governor having vetoed the same, the Assembly of the State of California this day passed said bill, notwithstanding the veto.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Substitute for Senate Bill No. 131—An Act to provide for the erection of additional buildings for the California Home for the Care and Training of Feeble-Minded Children, to complete buildings now being erected, and to appropriate money therefor.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 502—An Act to create the office of Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco.

Also: Senate Bill No. 617—An Act to provide for the payment of funded indebtedness of the State of California, and to contract a funded debt for that purpose.

Also: Senate Bill No. 661—An Act relating to the transfer of moneys now in the State Treasury, in what is known and designated as Estate of Deceased Persons Fund, to the General Fund, as a loan.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Substitute for Senate Bill No. 132—An Act appropriating the sum of fifty-six thousand dollars for the completion of buildings now being erected for the Mendocino State Asylum for the Insane, and to provide for the expenditure of the same.

Also: Substitute for Senate Bill No. 259—An Act to appropriate money for the construction and equipment of the Preston School of Industry.

Also: Senate Bill No. 33—An Act to provide buildings and improvements at the Deaf and Dumb and Blind Asylum, and making an appropriation for the same.

Also: Assembly Bill No. 691—An Act to establish law libraries.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 708—An Act to add a new section to the Political Code, to be numbered two thousand five hundred and fifty-five, relating to the leasing of wharves, docks, and landings under control of the Harbor Commissioners.

Also: Assembly Bill No. 611—An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure of California.

Also: Senate Bill No. 688—An Act to authorize the Directors of the Veterans' Home Association to exchange certain lands in the City and County of San Francisco for certain other property belonging to said city and county, or for a lease of said property.

Also: Senate Bill No. 134—An Act to amend sections one thousand one hundred and eighty-seven and one thousand one hundred and eighty-nine, and to repeal sections one thousand one hundred and eighty-six and one thousand one hundred and ninety-one of the Civil Code of the State of California, relating to the recording and acknowledgment of transfers.

And adopted Senate Joint Resolution No. 17—Relative to the mining industry in California.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 415—An Act entitled an Act to amend section four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries.

Also: Substitute for Senate Bill No. 27—An Act to provide for the improvement of the Reform School at Whittier, California, for juvenile offenders, and make an appropriation for the same.

Also: Assembly Bill No. 703—An Act to amend section two thousand four hundred and sixty-eight of the Political Code, relating to pilotage.

Also: Senate Bill No. 64—An Act making an appropriation to pay the claim of D. Jordan.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that, in accordance with a resolution passed by your honorable body this day, the Assembly herewith returns Senate Bill No. 340.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 150—An Act to appropriate money for the completion of the building of the State Normal School at Chico.

Also: Assembly Bill No. 588—An Act to amend section one thousand nine hundred and sixty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, to be known as subdivision eight, relating to what are deemed conclusive presumptions.

Also: Senate Bill No. 566—An Act to amend sections one thousand three hundred and fifty-two and one thousand seven hundred and fifty-one of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to executors and guardians of minors.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 652—An Act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now resident of this State, and fixing penalties and punishments for violation of this Act, and providing for deportation of criminals.

Also: Refused passage to Senate Bill No. 443—An Act for the relief of Peter Connolly, his assigns or legal representatives.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Assembly Bills Nos. 18, 691, 708, 611, 703, and 588 ordered on file.

Senate Bills Nos. 131, 502, 617, 661, substitutes for Senate Bills Nos. 132 and 259, Senate Bills Nos. 33, 688, and 134, Senate Joint Resolution No. 17, Senate Bill No. 415, substitute for Senate Bill No. 27, Senate Bills Nos. 64, 150, 566, and 652 ordered engrossed.

Senator Carpenter moved to make Assembly Bill No. 741 a special order for Wednesday next, immediately after the reading of the Journal.

So ordered.

Senator Maher moved to take up Governor's messages.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 13, 1891.

To the Senate of the State of California:

I herewith return to your honorable body, without my approval, Senate Bill No. 82—Entitled "An Act to amend an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code."

My objection to this measure is that it is sought to establish a uniform rate of wages for unskilled labor, on public works, all over the State.

The price of labor varies in different localities, and naturally, according to the difference in the cost of living. But without regard to this difference, the price of unskilled labor is by this bill arbitrarily fixed at two dollars per day.

Again, it is what is termed class legislation. The number of laboring men employed on public works is exceedingly small, compared with the great mass of laborers who are not so employed, and who could not obtain the influence necessary to obtain such employment. In this respect it is very unjust and a discrimination in favor of a small percentage of those interested.

It is certainly unjust in its effect upon aged or young persons, cripples, or those not

able to perform a full day's work. Many of these people are employed, with equal benefit to themselves and their employers: but if two dollars per day must be paid therefor, it immediately drives all such out of employment in any public work.

It limits the power of the State or municipality, and would force them to pay, in many instances, more for work performed or contracts entered into, than the individual, as no contractor could calculate upon paying less than two dollars per day, notwithstanding that the price of labor in that particular locality is less. This would increase taxation, and the great mass of laboring men would be compelled to pay higher taxes for the benefit of the few who would be thus employed.

It would increase the number of those who seek public employment, and would tend towards demoralization of political principles, from the fact that in order to obtain the higher wages, the laborer would be tempted to place himself more unreservedly in the hands of his employer, for political purposes, and not act as independently as he would were nothing to be gained.

After very careful consideration and thorough examination, I am fully convinced that the measure will not favorably affect the condition of the working men throughout the State.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 13, 1891.

To the Senate of the State of California:

I herewith return to your honorable body, without my approval, Senate Bill No. 83—Entitled "An Act to amend an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, by amending section three thousand two hundred and forty-five, relative to eight hours being a legal day's work."

In my inaugural address, in commenting upon this subject, I said:

"It is claimed by organized bodies of labor, through communications to me, that the eight-hour law on our statute books has been evaded. If the failure to enforce the law arises from an inherent defect in the law itself, I trust that you will remedy the same."

The amendment proposed to section three thousand two hundred and forty-five was no doubt made for the purpose of giving effect to the suggestion therein made, and is as follows:

"And every contractor or sub-contractor shall agree therein and thereby, in addition to the foregoing provisions, not to require or knowingly permit any person or persons performing work of any nature toward the completion of the work specified in said contract, to work more than eight hours in any one day. And for the violation of any provision contained in this section, or in said contract or sub-contracts, the contractor or sub-contractor to receive pay under said contract shall forfeit all payments due or to become due thereon; and that he shall not recover any compensation for said work, either upon quantum meruit or otherwise."

The question that arises is, Will the desired result be obtained by the adoption of this amendment? In my opinion, it will not, and for the following reasons:

The present law provides that eight hours upon public works shall constitute a day's work, and this is made a part of every contract between the State or municipality and another party. This law applies to work by the day, and not where work is done by piece-work or by the hour. It is now proposed to amend the present law so that the contractor and sub-contractor shall forfeit all pay for work done, if any laborer is permitted to work more than eight hours in any one day. If the amendment does not apply to piece-work or work done by the hour, it would be of no effect, for the employer would simply hire his men to work by the piece or by the hour. If it does apply to piece-work or work done by the hour, it would operate to the injury of the laboring man, in many cases, by preventing industrious men from earning more than is paid for eight hours work. No law should be framed to prevent a man from working as many hours as he pleases, if he obtains corresponding pay.

Again, in the present law, the contract referred to is the contract between the State or municipality and the laborer or the contractor. It is this contract of which eight hours' labor for a day's work forms a part. It forms no part of the contract between the contractor and the sub-contractor. The sub-contractor does not enter into the original contract with the State or municipality, and is not a party thereto, and he cannot agree "therein and thereby" not to permit any person "to work more than eight hours in any one day."

If it is a part of the contract or sub-contract, it must be so considered, from the fact that the sub-contract is controlled by the original contract, not because it is expressly so made by the amendment, and forfeitures are not usually upheld by Courts upon inference.

Assuming that the provisions of the amendment apply to all work done under sub-contracts, as well as under the original contracts, whether done by the day or by the piece or hour, it is too indefinite in its application. It is proposed to prevent any person from "performing work of any nature toward the completion of the work specified in said contract, to work more than eight hours in any one day." If that is not done, the contractor forfeits all payment for his work. It is difficult to tell how far this clause will reach. Suppose a contract is made by the State to construct a public building. The contractor will require lumber, brick, stone, millwork, iron, and all classes of materials and all kinds of labor. He contracts with his lumberman for the lumber, the brick-maker for the brick, the millman for the millwork, etc., and so on. The contractor has

no control over the work performed by these various classes. It is practically impossible for the contractor to watch the lumber camp, the brick kiln, the mill men, and every other class of labor performed upon the materials that go to make up the structure. Yet, if one of these various classes should see fit to permit any person to work more than eight hours in any one day upon the materials to be furnished, then the contractor is obliged to forfeit "all payments due or to become due on his contract." It puts the contractor at the mercy of the sub-contractor.

The result would be that no small mechanic carrying on a single business could afford to compete for any public work. Only those firms, persons, or corporations who own their own mills, brickyards, etc., and who do their own work in the various departments of business, could afford to enter into any contract to construct public works for the State. The State would be practically at the mercy of the big contractor, who would charge what he saw fit for his work and materials. Such a system would be detrimental both to the State and the great class of mechanics who constitute the better element of the laboring masses.

I believe, therefore, instead of having a tendency toward remedying the evils complained of, it only increases them by adding new conditions which are indefinite and conflicting.

Any amendment to the present law, which raises serious legal questions, and is capable of different interpretations, complicates the matter, and in my judgment is a positive injury to the laboring man. It appears to me that the eight-hour law, as it stands, would be effective, if a penalty were added, or some means devised to compel its enforcement.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 18, 1891.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 208.

H. H. MARKHAM, Governor.

Senator Maher moved to make Senate Bills Nos. 82 and 83 special orders for Wednesday, at four o'clock P. M.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Senator Seawell:

Resolved, That Senate Bill No. 432 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Welch, and Williams (Geo. H.)—32.

NOES—None.

Senator Campbell of Solano moved to take up Senate Bill No. 678.

So ordered.

Senate Bill No. 678.

AMENDMENTS.

By Senator Campbell of Siskiyou:

Amend by striking out of section two hundred and eleven, line seven, the word "six," and inserting the following: "four."

Adopted.

Also: By inserting the following after the word "amount," on page one hundred and twenty-eight, section two hundred and eleven, line four: "*provided*, that the County Clerk be and is hereby allowed a deputy from and after July 1, 1891, until January 1,

1893, at a salary of fifty dollars per month in addition to his regular salary as County Clerk."

Adopted.

Also: Amend section two hundred and eleven, line fifteen, by adding after the word "Supervisors:" "two hundred and fifty dollars per annum, and mileage at the rate of twenty-five cents per mile from place of residence to county seat at each sitting of the Board."

Adopted.

By Senator Campbell of Solano:

Amend by striking out of section two hundred and five, line twenty-three, the word "fifty," and inserting the following: "twenty-five."

Adopted.

By Senator Dray:

Amend by striking out of section forty, line two hundred and eighty-one, the words "and fifth," and inserting the word "and" before "the fourth," in same line.

Adopted.

By Senator Campbell of Solano:

Amend by striking out of section one hundred and eighty, line seven, the words "six thousand," and inserting the following: "six hundred."

Adopted.

By Senator Shippee:

Amend by striking out of section one hundred and seventy-eight, line two hundred and fifty-four, the word "after," and inserting the following: "other."

Adopted.

Also: Amend by adding to section one hundred and seventy-eight, after line twenty, page seventy-six: "The Board of Supervisors may, when requested by the official reporter of the Superior Court, and recommended by the Judge thereof, allow said reporter such monthly salary as may be deemed reasonable, but which shall not be less than fifty dollars, in lieu of the fees which now are or which hereafter may be allowed him by law, as a charge against the county for attendance on said Superior Court, reporting criminal cases tried therein, and transcribing the same when required: *provided*, that the County Auditor shall not draw his warrant for said salary except the reporter shall first file with him a certificate that all such transcription ordered to the date thereof has been duly completed and filed."

Adopted.

Also: Amend by striking out of section one hundred and seventy-eight, line nine, the word "eight," and insert the following: "five."

Adopted.

By Senator Campbell of Solano:

Amend by striking out of section twenty-five, lines two hundred and sixty-nine and two hundred and seventy, the words "two thousand five hundred," and inserting the following after the word of: "one thousand."

Adopted.

By Senator Heacock:

Amend section one hundred and thirty-two, line one, by striking out the words "at his option."

Adopted.

Also: Amend by adding at end of section two hundred and thirty-seven, the words: "except as prohibited by the Constitution."

Adopted.

Also: Amend by striking out of section one hundred and twenty-nine the last sentence, and inserting the same sentence as subdivision nineteen to section one hundred and seventy-nine.

Adopted.

By Senator Campbell of Solano:

Amend by striking out of section one hundred and seventy-one, line forty-one, the word "officer," and inserting the following: "officers."

Adopted.

By Senator Carpenter:

Amend by striking out of section one hundred and sixty-four, line ten, the words "three thousand six hundred," and inserting the following: "four thousand."

Adopted.

Also: Amend by striking out of section one hundred and sixty-four, line one hundred and forty-one, the word "fifty," and inserting the following: "twenty-five."

Adopted.

Also: Amend by striking out of section one hundred and sixty-four, line one hundred and thirty-two, the word "fifty," and inserting the following: "twenty-five."

Adopted.

Also: Amend by striking out of section one hundred and sixty-four, line seven, the word "four," and inserting the following: "three thousand six hundred."

Adopted.

By Senator De Long:

Amend by striking out of section one hundred and eighty-seven, page ninety-seven, all the words beginning with the first word on line twenty-three, on page one hundred, down to and including line one hundred and thirty.

Adopted.

By Senator Campbell of Solano:

Amend by striking out of section twenty-five, lines two hundred and sixty-nine and two hundred and seventy, the words "two thousand five hundred (2,500)," and insert the following after the word of: "one thousand."

Adopted.

By Senator Seawell:

Amend section one hundred and seventy-nine, subdivision eighteen, by adding: "the District Attorney may show, by competent evidence, that a witness was not subpœnaed in good faith, and the rules of Court and practice in civil actions relating to striking out cost bills and the items therein shall apply; and, if the Court should find that a witness was not subpœnaed in good faith, and for the purpose of giving material testimony, no compensation whatever shall be given such witness."

Adopted.

Bill read second time, and ordered printed as amended.

Substitute for Senate Bill No. 177—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand

and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Heacock, Langford, McComas, McGowan, Mead, Ostrom, Seawell, Shippee, Simpson, Streeter, and Voorhies—21.
NOES—None.

Title read and approved.

Senate Bills Nos. 621 and 399 passed on file.

NOTICE OF RECONSIDERATION.

Senator Campbell of Solano gave notice that, on to-morrow, he would move to reconsider the vote by which substitute for Senate Bill No. 177 finally passed to-day.

Senate Bill No. 693—An Act ceding to the United States of America jurisdiction over the Post Office site in San Francisco.

Bill read second time.

Amendments by Senator Crandall:

Amend by striking out of the title the words "over the Post Office site in San Francisco," and inserting in lieu thereof the words "over lands in this State ceded to the United States."

Also, by inserting after the word "as," in line two, section one, the following: "may have been or," and striking out of lines two and three, in section one, the following: "selected for Post Office site in San Francisco," and insert in lieu thereof, "ceded or conveyed to the United States."

Adopted.

Bill ordered printed and engrossed as amended, and on file for third reading.

President pro tem. Fraser in the chair.

RESOLUTION—(OUT OF ORDER).

By Senator Sprague:

Resolved, That Senate Bill No. 683 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Senator Sprague moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, and Williams (Geo. H.).

On motion of Senator Hamill, further proceedings under the call of the Senate were dispensed with.

The roll was called on the adoption of Senator Sprague's resolution, and it was adopted by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock,

Langford, Maher, McComas, McGowan, Mead, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, and Williams (Geo. H.)—27.
NOES—Mr. Ostrom—1.

Senate Bill No. 683—An Act to cede jurisdiction of the United States over certain lands.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, and Voorhies—26.
NOES—None.

Title read and approved.

ADJOURNMENT.

On motion of Senator Maher, at five o'clock P. M. the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, March 17, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator McComas moved that further reading be dispensed with.

So ordered.

MOTION.

Senator Streeter moved that Assembly Bill No. 230 be now taken up.

So ordered.

Assembly Bill No. 230—An Act to amend section one hundred and fifty-eight of the Code of Civil Procedure of the State of California, relating to the residence of Judges of the Superior Court.

Bill read third time.

Senator Simpson moved that Senator Crandall be appointed a special committee of one to make the following amendment:

Amend by striking out of section one, line eight, the word "two," and inserting the following: "three."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 17, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Assembly Bill No. 230, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

CRANDALL, Committee.

Report of committee adopted.
Bill ordered printed as amended.

PRESENTATION OF PETITIONS.

By Senator Goucher:

To the Legislature of the State of California:

Your petitioners respectfully represent that they are attorneys at law practicing in Fresno County, California.

That there are now two Judges of the Superior Court in said Fresno County.

That there is a vast amount of litigation now pending in said Courts, both civil and criminal, including insolvency and probate proceedings.

That two Judges have devoted all of their time thereto, but have been unable to diminish the volume of work of said Court, which is constantly increasing.

There are now pending and untried three hundred and twenty-nine civil cases; there are now in course of settlement one hundred and seventy-seven estates of deceased persons; there are now pending thirty-five cases of insolvency and thirty-six criminal cases—felonies.

That the legal business of the county, in order that the same may be promptly and properly attended to, requires at once another Judge of the Superior Court.

That both departments of said Superior Court have been for many months past constantly engaged in the trial of cases, notwithstanding which the number of new cases brought have greatly exceeded those which have been disposed of.

W. D. Tupper, District Attorney, E. D. Edwards, R. B. Terry, H. H. Welch, Geo. B. Graham, Geo. E. Church, L. L. Cody, H. C. Tupper, Dante R. Prince, W. D. Grady, R. P. Davidson, H. Z. Austin, W. C. Thompson, E. W. Risley, Frank Laning, E. F. Bernhard, E. S. Van Meter, Geo. L. Warlow, James Gallagher, J. H. Daly, N. C. Coldwell, J. P. Meux, W. S. Crawford, Geo. A. Nourse, Frank H. Short, Alva E. Snow, A. S. Cureton, L. W. Moultrei.

SPECIAL ORDER.

Senate Bill No. 678.

The following amendment to Senate Bill No. 678 was submitted by Senator Voorhies:

Amend by adding to section two hundred and fourteen, page one hundred and thirty-three, the words: "The District Attorney, six hundred dollars per annum," between lines six and seven of said section.

Adopted.

REQUEST.

Senator Heacock asked leave to introduce a bill.

On roll call, permission was granted by the following vote:

AYES—Messrs. Bailey, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, Langford, Maher, McComas, Mead, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.) and Williams (Geo. H.)—28.

NOES—None.

INTRODUCTION OF BILL.

By Senator Heacock: Senate Bill No. 699—An Act to provide a salary for the Keeper of the Archives in the office of the Secretary of State, for the balance of the forty-second fiscal year.

Bill read first time, ordered printed, and on file for second reading.

SPECIAL FILE.

Senate Bill No. 658—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as section two thousand one hundred, relating to official publications.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, Maher, McComas, Ragsdale, Seawell, Shippee, Streeter, Williams (Wm. H.), and Williams (Geo. H.) 23.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 340 passed temporarily on file.

Senate Bills Nos. 399, 621, 693, and 435 passed on file.

Senate Bill No. 689—An Act to appropriate the sum of six thousand one hundred and forty-four dollars, to pay the claim of S. V. Treadway and David Kettleman, assignees of Mary Treadway, Sarah E. Trotter, Richard Trotter, Mary J. Furber, and Elbridge G. Furber, for money illegally paid the State of California.

Bill read first time.

Senate Bills Nos. 258 and 648 passed on file.

Senate Bill No. 666—An Act to amend section five of an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor," approved February 26, 1885.

Bill read second time.

Amendment by Senator Dray:

Amend section one, line twenty, by inserting after the word "State" the following: "school."

Adopted.

Amendment by Senator Preston:

Amend by inserting in line twelve of section one, after the word "books," the words "as text-books for pupils."

Adopted.

Senate Bill No. 605 passed on file.

Senate Bill No. 243—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Bill read second time.

Amendments by Senator Broderick:

Amend by striking out of section one, line two, after the word "dollars," the balance of line two, and the word "three," in line three; also, strike out of section two, line two, the words "eighteen thousand seven hundred," and on line three the words "and sixty-five and six one hundredths dollars," and insert in lieu thereof the words "eight thousand five hundred and thirty-two and thirty-three one hundredths dollars."

Adopted.

Also: Amend by striking out of section one, line two, the words "with legal interest." and inserting the following: "this Act is exempt from section six hundred and seventy-two of the Political Code."

Adopted.

Senate Bills Nos. 256 and 152 passed on file.

Senate Bill No. 270—An Act to amend section one thousand two hundred and forty-six of the Penal Code, relating to the cost of appeals in criminal cases.

Bill read third time.

Senator Crandall moved that Senator Campbell of Siskiyou be appointed a special committee of one to make the following amendment:

Amend by inserting after the word "forty-six" the words "of the Penal Code of the State of California."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 17, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Senate Bill No. 270, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

R. H. CAMPBELL, Committee.

Report of committee adopted, and bill ordered printed.

Senate Bill No. 348—An Act making an appropriation to pay the claim of William Darby.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Dray, Everett, Fraser, Harp, Langford, Maher, McComas, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—23.

NOES—Messrs. Mahoney and Ostrom—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

On motion of Senator Byrnes, Senate Bill No. 256 was taken up.

Senate Bill No. 256—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Harp, Maher, Mahoney, McComas, Preston, Ragsdale, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—Mr. Ostrom—1.

Title read and approved.

On motion of Senator Britt, Senate Bill No. 605 was taken up.

Senate Bill No. 605—An Act to provide pensions for teachers of the public schools of the State of California.

Bill read second time.

The following committee amendments were submitted:

Amend section two to read as follows: "They shall organize as such Board with the Governor as President, and the State Superintendent of Public Instruction as Secretary, and the State Treasurer shall be ex officio Treasurer of said fund. Said Board shall have charge of and administer said fund and order payments therefrom in pursuance with the provisions of this Act."

Adopted.

Also: Amend section three by striking out all the words following the word "teacher," in line seven, page two, and inserting: "but no lady teacher less than fifty years of age, and no male teacher less than sixty years of age, shall receive any teacher's pension, except as provided for under section four of this Act.

Adopted.

Also: Amend section four by inserting after the word "service," page two, line five, the words: "*provided*, that such incapacity shall not have been brought about by reason of intemperate or vicious habits."

Adopted.

Also: Amend section seven, line two of printed bill, by striking out the words "January, July, April, and October," and insert in lieu thereof the words "March, June, September, and December," and by striking out of line three the words "of two members."

Adopted.

Also: Amend section eight of printed bill by striking out of line seven, page three, the words "to appoint a Secretary and;" and from line eight, page three, the words "including salary of Secretary and printing."

Adopted.

By Senator Mead:

Amend by striking out of section three, lines five, six, and seven, after the word "fund," to and including the word "teacher," in line seven, and inserting the following: "twenty dollars per month."

Lost.

By Senator Preston:

Amend by striking out section three.

Lost by the following vote:

Ayes—Messrs. Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Flint, Langford, Mahoney, Ostrom, Preston, Ragsdale, Sprague, Streeter, Voorhies, Welch, and Williams (Wm. H.)—15.

Noes—Messrs. Bailey, Banks, Britt, Carpenter, Dargie, De Long, Denison, Everett, Fraser, Goucher, Hamill, Harp, Maher, McComas, Mead, Seawell, Simpson, and Williams (Geo. H.)—18.

President pro tem. Fraser in the chair.

Bill ordered printed.

Senate Bill No. 536—An Act to encourage coöperation, and to provide for the formation of associations for the purpose of conducting any lawful business and dividing the profits among the members thereof.

Senator Sprague objected to its consideration at this time.

The roll was called, and the Senate refused to consider the bill by the following vote:

Ayes—Messrs. Bailey, Carpenter, Crandall, Dray, Langford, McComas, Ostrom, and Streeter—8.

Noes—Messrs. Banks, Broderick, Byrnes, Dargie, Denison, Everett, Fraser, Hamill, Harp, Maher, Mahoney, Ragsdale, Seawell, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—17.

Senate Bill No. 199—An Act to regulate the licensing and powers of detectives within the boundaries of the State of California.

Senator Crandall objected to its consideration at this time.

The roll was called, and the Senate decided to consider the bill by the following vote:

AYES—Messrs. Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Mahoney, McComas, Streeter, Welch, and Williams (Geo. H.)—17.

NOES—Messrs. Campbell of Solano, Crandall, Hamill, Langford, Ostrom, and Seawell—6.

REPORTS OF STANDING COMMITTEES.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 12, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That Martin Steinmetz be allowed two dollars and fifty cents per night from January 6 to March 3, 1891, for lighting and attending to the gas in the Senate Chamber. The Controller is hereby authorized to draw his warrant for the same, and the Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BYRNES, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 17, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of W. H. Carlson for the sum of fifty dollars, payable out of the fund for the contingent expenses of the Senate, for the engrossing of the resolutions of respect of the late Senator George Hearst, adopted by the Senate on March 9, 1891.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BYRNES, Chairman.

On roll call, the reports were adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Maher, Mahoney, McComas, Mead, Ostrom, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—23.

NOES—None.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, Mrrch 11, 1891.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 562 -have had the same under consideration, and respectfully report the same back without recommendation.

DRAY, Chairman.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 17, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 130—An Act to authorize and direct the sale of the site and buildings of the California Home for the Care and Training of Feeble-Minded Children, in Santa Clara County.

Also: Senate Bill No. 281—An Act to provide for the payment of the wages of mechanics and laborers employed by corporations.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

Senate Bill No. 199 read third time, and on motion of Senator Dargie further consideration was postponed until to-morrow.

MOTION.

Senator Goucher moved that the Senate now proceed to the Assembly Chamber, and go into joint convention with the Assembly for the purpose of balloting for United States Senator.

So ordered.

IN JOINT ASSEMBLY.

On Tuesday, March 17, 1891, at twelve o'clock M., the Senate and Assembly met in joint session for the purpose of electing a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner for holding elections for Senators in Congress," approved July 25, 1866.

Hon. Thomas Fraser, President pro tem. of the Senate, in conjunction with Hon. F. L. Coombs, Speaker of the Assembly, presiding.

The roll of the Senate was called by the Secretary, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

The roll of the Assembly was called by the Chief Clerk, and the following members answered to their names:

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murman, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum of both branches of the Legislature present.

READING OF THE JOURNAL.

The Journal of yesterday's proceedings in Joint Assembly was read by the Secretary of the Senate.

Journal approved.

The President pro tem. of the Senate then announced that nominations for United States Senator were in order.

NOMINATIONS.

Mr. Robertson nominated Stephen M. White.

Mr. Dibble withdrew the name of M. H. De Young.

Mr. Fowler withdrew the name of Charles A. Wetmore.

Mr. Brusie seconded the nomination of William Johnston.

ROLL CALL.

The Secretary of the Senate called the roll of the Senate, and each Senator present pronounced the name of the person for whom he voted, as follows:

For Blanchard—Mr. Fraser.
For Estee—Messrs. Bailey, Brynes, Campbell of Siskiyou, Carpenter, Flint, Heacock, McComas, McGowan, Preston, Ragsdale, Shippee, Simpson, Sprague, and Voorhies.
For Felton—Messrs. Banks, Broderick, Campbell of Solano, Crandall, Dargie, De Long, Everett, Maher, Mahoney, Streeter, and Williams (Geo. H.).
For White—Messrs. Britt, Goucher, Hamill, Mead, Ostrom, Seawell, and Welch.
For Johnston—Messrs. Denison and Dray.

Whole number of votes cast	35
Mr. Blanchard received	1
Mr. White received	7
Mr. Estee received	14
Mr. Felton received	11
Mr. Johnston received	2

The Chief Clerk of the Assembly called the roll of the House, and each member present voted for his choice for Senator, as follows:

For Blanchard—Mr. Lacey.
For Estee—Messrs. Ames, Barnard, Barnett of Sonoma, Baughman, Bert, Bledsoe, Brown, Bryant, Cargill, Clark, Culver, Durner, Estey, Fowler, Freeman, Hail, Harboe, Hawley, Hocking, Hunewill, Johnson, Kellogg, Lewis, Matlock, McCall, Murphy, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Mr. Speaker.
For Felton—Messrs. Alexander, Barnett of San Francisco, Beecher, Carter, Coffey, Daly, Dennis, Dibble, Dow, Galbraith, Glynn, Gordon, Hayes, Hersey, Hoey, Jones, Lowe, Lux, Lynch, Marion, Phillips, Steltz, Tennis, Tully, Wentworth, Windrow, and Young.
For Johnston—Messrs. Bruner and Brusie.
For Perkins—Mr. Cram.
For White—Messrs. Arms, Cunningham, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murman, Renfro, Rice, Robertson, Shanahan, and Stabler.

Whole number of votes cast	79
Mr. Blanchard received	1
Mr. White received	17
Mr. Estee received	31
Mr. Felton received	27
Mr. Perkins received	1
Mr. Johnston received	2

The President pro tem. of the Senate then announced the whole number of votes cast to be one hundred and fourteen; necessary for a choice, fifty-eight; and that

Geo. G. Blanchard received	2
M. M. Estee received	45
Chas. N. Felton received	38
Stephen M. White received	24
Geo. C. Perkins received	1
Wm. Johnston received	4

MOTION.

Senator Heacock moved that the Joint Assembly do now adjourn until to-morrow, at twelve o'clock M.

Carried.

REASSEMBLED.

The Senate, at twelve o'clock and forty-five minutes P. M., reassembled.

President pro tem. Fraser in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

RECESS.

On motion of Senator Dray, the Senate took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

LEAVE OF ABSENCE.

On motion of Senator Mead, Senator McGowan was granted a leave of absence until to-morrow, at twelve o'clock M.

RESOLUTION—(OUT OF ORDER).

By Senator Dray:

Resolved, That Assembly Bills Nos. 561, 723, and 713 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times upon one day, and placed upon their passage.

On roll call, the resolution was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Langford, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—31.

NOES—None.

CASES OF URGENCY.

Assembly Bill No. 561—An Act making appropriations for the support of the government of the State of California for the forty-third and forty-fourth fiscal years.

Bill read second time.

AMENDMENTS.

Committee amendments, as follows:

In lines thirteen and fourteen, section one, page one, of printed bill, strike out the words "two hundred and eighty-seven" and insert the words "two hundred and ninety-one."

Adopted.

In line twenty-eight, section one, page two, of printed bill, strike out the word "stenographer" and insert the words "phonographic reporter."

Adopted.

After line thirty-one, section one, page two, of printed bill, insert the following: "For postage and contingent expenses Supreme Court Commissioners, two hundred dollars."

Adopted.

In line thirty-six, section one, page two, of printed bill, strike out the words "two thousand one hundred and sixty" and insert the words "two thousand four hundred."

Adopted.

In line thirty-seven, section one, page two, of printed bill, by inserting after the words "secret service" the following: "exempt from provisions of section six hundred and seventy-two of Political Code."

Adopted.

In line thirty-eight, section one, page two, of printed bill, strike out the word "and" and insert after the word "telegraphing" the following: "and contingent expenses."

Adopted.

In line thirty-nine, section one, page two, of printed bill, strike out the words "three thousand six" and insert the words "four thousand eight."

Adopted.

In line forty, section one, page two, of printed bill, strike out the word "and" and insert the following: "telegraphing and contingent expenses;" also, in same line, strike out the word "two" and insert the word "five."

Adopted.

After line forty, section one, page two, of printed bill, insert the following: "For salary Assistant Secretary State Board of Examiners, three thousand six hundred dollars."

Adopted.

In line forty-seven, section one, page two, of printed bill, strike out the word "one" and insert the word "two."

Adopted.

In line fifty-seven, section one, page three, of printed bill, strike out the words "seven hundred" and insert the words "one thousand."

Adopted.

In line fifty-eight, section one, page three, of printed bill, strike out the words "seven hundred and fifty" and insert the words "one thousand five hundred."

Adopted.

In lines seventy-one and seventy-two, section one, page three, of printed bill, strike out the words "seven hundred and fifty" and insert the words "one thousand."

Adopted.

After line seventy-two, section one, page three, of printed bill, insert the following: "For pay and expenses for stenographer to Attorney-General, three thousand six hundred dollars."

Adopted.

After line seventy-three, section one, page three, of printed bill, insert the following: "For office rent for Attorney-General in San Francisco, nine hundred and sixty dollars."

Adopted.

In line seventy-four, section one, page three of printed bill, strike out the word "five" and insert the word "six."

Adopted.

After line seventy-five, section one, page three, of printed bill, insert the following: "For expenses of Attorney-General in tax suits and other suits in United States Courts, two thousand five hundred dollars."

Adopted.

In line seventy-four, section one, page three, of printed bill, insert after the word "General," the following: "and Register of the State Land Office."

Adopted.

In line eighty, section one, page three, of printed bill, insert after the word "postage" the word "telegraphing;" also, same line, strike out the words "seven hundred" and insert the words "one thousand."

Adopted.

In line eighty-one, section one, page three, of printed bill, strike out the word "three" and insert the word "five."

Adopted.

In line eighty-two, section one, page three, of printed bill, strike out the word "one" and insert the word "two."

Adopted.

In line eighty-four, section one, page four, of printed bill, strike out the word "and" and insert the word "or;" also, same line, insert after the words "United States" the words "and individuals;" also, same line, strike out the words "six hundred," and insert the words "one thousand."

Adopted.

In line one hundred and four, section one, page four, of printed bill, strike out the words "two thousand" and insert the words "two thousand four hundred."

Adopted.

In line one hundred and seven, section one, page four, of printed bill, strike out the words "fifteen hundred" and insert the words "two thousand."

Adopted.

After line one hundred and twenty, section one, page five, of printed bill, insert the following: "For pay of employés and for stock and material for State School Text-Book Department, forty thousand dollars; exempt from the provision of section four of this Act. Also, insert after line one hundred and twenty, and following the last amendment, the following: "For compiling of State school text-books, ten thousand dollars."

Adopted.

After line one hundred and twenty-four, section one, page five, of printed bill, insert the following: "For traveling and legal expenses of Deputy Insurance Commissioner under provisions of sections five hundred and ninety-five and six hundred and seventeen of the Political Code, three thousand dollars."

Adopted.

In line one hundred and thirty-nine, section one, page five, of printed bill, strike out the words "one thousand" and insert the words "five hundred."

Adopted.

In line one hundred and forty-three, section one, page five, of printed bill, strike out the word "ten" and insert the word "twenty."

Adopted.

In line one hundred and forty-eight, section one, page five, of printed bill, strike out the words "education and care of deaf, dumb, and blind," and insert the words "the support of the Deaf, Dumb, and Blind Asylum at Berkeley;" also, same line, strike out the word "eighty-five" and insert the words "one hundred and seven."

Adopted.

In line one hundred and fifty, section one, page five, of printed bill, strike out the word "fifteen" and insert the word "forty."

Adopted.

After line one hundred and fifty-five, section one, page six, of printed bill, insert the following: "For support and maintenance of Preston School of Industry, thirty thousand dollars." Also, insert after line one hundred and fifty-five, and following the last amendment, the following: "For care and improvement of grounds at Preston School of Industry, seven thousand dollars."

Adopted.

In line one hundred and fifty-six, section one, page six, of printed bill, strike out the words "one hundred and seventy" and insert the words "two hundred and fifty."

Adopted.

After line one hundred and fifty-six, section one, page six, of printed bill, insert the following: "For construction of sewer three miles long at Insane Asylum at Agnews, twenty thousand dollars." Also, insert after line one hundred and fifty-six, and following the last amendment, the following: "For care and improvement of grounds at Insane Asylum at Agnews, five thousand dollars."

Adopted.

In line one hundred and fifty-seven, section one, page six, of printed bill, strike out the word "thirty-five" and insert the word "sixty."

Adopted.

In line one hundred and fifty-eight, section one, page six, of printed bill, strike out the words "two hundred and sixty" and insert the words "three hundred and twenty."

Adopted.

In line one hundred and sixty, section one, page six, of printed bill, strike out the word "forty" and insert the word "fifty-five."

Adopted.

In line one hundred and sixty-one, section one, page six, of printed bill, strike out the words "eighty thousand five hundred" and insert the words "eighty-one thousand five hundred."

Adopted.

In line one hundred and sixty-four, section one, page six, of printed bill, strike out the word "one" and insert the word "two."

Adopted.

In line one hundred and sixty-six, section one, page six, of printed bill, strike out the word "four" and insert the word "six."

Adopted.

In line one hundred and eighty-one, section one, page six, of printed bill, strike out the word "three" and insert the word "nine."

Adopted.

After line one hundred and eighty-one, section one, page six, of printed bill, insert the following: "For support of Home for Soldiers' Widows and Orphans, and Army Nurses, fifteen thousand dollars."

Adopted.

In line one hundred and eighty-eight, section one, page seven, of printed bill, strike out the word "twenty" and insert the word "thirty."

Adopted.

In line one hundred and ninety-eight, section one, page seven, of printed bill, strike out the word "five" and insert the word "ten."

Adopted.

In line two hundred and one, section one, page seven, of printed bill, strike out the words "three thousand five hundred" and insert the words "five thousand."

Adopted.

In line two hundred and two, section one, page seven, of printed bill, strike out the word "forty" and insert the word "fifty;" also, after the word "dollars," end of line, add the following: "sixty per cent of said sum to be expended for geological field work and scientific research."

Adopted.

After line two hundred and two, section one, page seven, of printed bill, insert the following: "For use of Trustees' Mineral Cabinet, five hundred dollars."

Adopted.

In line two hundred and four, section one, page seven, of printed bill, strike out the word "five" and insert the words "thirty-five."

Adopted.

In line two hundred and six, section one, page seven, of printed bill, insert after the word "stationery" the word "supplies;" also, in same line strike out the word "fifteen" and insert the word "twenty."

Adopted.

In line two hundred and eight, section one, page seven, of printed bill, strike out the word "two" and insert the word "four."

Adopted.

In line two hundred and twelve, section one, page seven, of printed bill, strike out the word "two" and insert the word "eight."

Adopted.

After line two hundred and twelve, section one, page seven, of printed bill, insert the following: "For salary of guardian of Marshall monument and grounds, one thousand two hundred dollars."

Adopted.

Further consideration of Assembly Bill No. 561 was temporarily postponed, until special order set for this hour, three o'clock and thirty minutes P. M., be disposed of.

SPECIAL ORDER.

Assembly Bill No. 212—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Bill read third time.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Banks, Britt, Byrnes, Carpenter, Dargie, Everett, Flint, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, Mead, and Sprague—16.

NOES—Messrs. Crandall, De Long, Dray, Heacock, McComas, Ostrom, Ragsdale, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—12.

Senators Broderick, Bailey, and Shippee were ordered recorded as present, and refusing to vote.

NOTICE OF RECONSIDERATION.

Senator G. H. Williams gave notice that on to-morrow he would move to reconsider the vote by which Assembly Bill No. 212 was refused final passage.

AMENDMENTS TO ASSEMBLY BILL No. 561—(RESUMED).

On the committee amendment, in line one hundred and eighty-eight, section one, page seven, of printed bill, strike out the word "twenty" and insert the word "thirty," Senators Carpenter, Ostrom, and Mead demanded the ayes and noes.

On roll call, the amendment was adopted by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Crandall, De Long, Denison, Everett, Hamill, Langford, Maher, Preston, Ragsdale, Shippee, Simpson, and Streeter—15.

NOES—Messrs. Bailey, Campbell of Solano, Campbell of Siskiyou, Carpenter, Fraser, Goucher, Harp, Heacock, Mahoney, McComas, Mead, Ostrom, Welch, and Williams (Wm. H.)—14.

Senator Dray excused from voting.

In line one hundred and forty-eight, section one, page five, of printed bill, strike out the words "education and care of deaf, dumb, and blind," and insert the words "the support of the Deaf, Dumb, and Blind Asylum at Berkeley;" also, same line, strike out the words "eighty-five" and insert the words "one hundred and seven."

Adopted.

In line one hundred and fifty, section one, page five, of printed bill, strike out the word "fifteen" and insert the word "forty."

Adopted.

After line one hundred and fifty-five, section one, page six, of printed bill, insert the following: "For support and maintenance of Preston School of Industry, thirty thousand dollars." Also, insert after line one hundred and fifty-five, and following the last amendment, the following: "For care and improvement of grounds at Preston School of Industry, seven thousand dollars."

Adopted.

In line one hundred and fifty-six, section one, page six, of printed bill, strike out the words "one hundred and seventy" and insert the words "two hundred and fifty."

Adopted.

After line one hundred and fifty-six, section one, page six, of printed bill, insert the following: "For construction of sewer three miles long at Insane Asylum at Agnews, twenty thousand dollars." Also, insert after line one hundred and fifty-six, and following the last amendment, the following: "For care and improvement of grounds at Insane Asylum at Agnews, five thousand dollars."

Adopted.

In line one hundred and fifty-seven, section one, page six, of printed bill, strike out the word "thirty-five" and insert the word "sixty."

Adopted.

In line one hundred and fifty-eight, section one, page six, of printed bill, strike out the words "two hundred and sixty" and insert the words "three hundred and twenty."

Adopted.

In line one hundred and sixty, section one, page six, of printed bill, strike out the word "forty" and insert the word "fifty-five."

Adopted.

In line one hundred and sixty-one, section one, page six, of printed bill, strike out the words "eighty thousand five hundred" and insert the words "eighty-one thousand five hundred."

Adopted.

In line one hundred and sixty-four, section one, page six, of printed bill, strike out the word "one" and insert the word "two."

Adopted.

In line one hundred and sixty-six, section one, page six, of printed bill, strike out the word "four" and insert the word "six."

Adopted.

In line one hundred and eighty-one, section one, page six, of printed bill, strike out the word "three" and insert the word "nine."

Adopted.

After line one hundred and eighty-one, section one, page six, of printed bill, insert the following: "For support of Home for Soldiers' Widows and Orphans, and Army Nurses, fifteen thousand dollars."

Adopted.

In line two hundred and fourteen strike out the word "fifty" and insert "forty."

Amendment to the amendment by Senator Carpenter:

Amend by striking out of section one, line two hundred and fourteen, the word "fifty" and inserting the following: "thirty-five."

The roll was called, and the amendment to the amendment lost by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Goucher, Hamill, Heacock, Mahoney, McComas, Ragsdale, and Welch—14.

NOES—Messrs. Britt, Byrnes, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Maher, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—19.

Committee amendment was then adopted.

Senator Ostrom moved to amend by striking out all relating to Railroad Commission.

Amendment lost.

Senator Ostrom moved to amend by striking out all relating to Labor Commission.

Lost.

Senator Ostrom moved to amend by striking out of section one, line two hundred and two, the word "forty," and inserting the following: "twenty."

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Bailey, Campbell of Solano, Campbell of Siskiyou, Fraser, Harp, Langford, Mead, Ostrom, and Ragsdale—9.

NOES—Messrs. Banks, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Goucher, Hamill, Heacock, Maher, McComas, Preston, Shippee, and Williams (Geo. H.)—18.

Senator Ostrom moved to amend by striking out of section one, line one hundred and eighty-nine, the word "thirty," and inserting the following: "twenty."

The ayes and noes were demanded by Senators Ostrom, Langford, and Maher.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Bailey, Langford, McComas, Ostrom, Ragsdale, and Welch—6.

NOES—Messrs. Banks, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, Mead, Preston, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—26.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 17, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 243—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Also: Senate Bill No. 270—An Act to amend section one thousand two hundred and forty-six of the Penal Code, relating to the cost of appeals in criminal cases.

Also: Senate Bill No. 548—An Act making an appropriation to pay the claim of William Darby.

Also: Senate Bill No. 648—An Act to promote silk culture in the penal, reformatory, and charitable institutions of the State of California, and to encourage sericulture throughout the State, and to provide for the expense thereof.

Also: Senate Bill No. 666—An Act to amend section five of an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor," approved February 26, 1885.

Also: Senate Bill No. 693—An Act ceding to the United States of America jurisdiction over the Post Office site in San Francisco.

Also: Senate Bill No. 683—An Act to cede jurisdiction of the United States over certain lands.

RAGSDALE, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Heacock:

WHEREAS, Certain documentary evidence has been placed in the hands of the Attorney-General by members of the Senate and Assembly; and whereas, said documentary evidence is in a fragmentary form and requires to be arranged in consecutive order so as to make it readable; and whereas, such evidence is claimed to have an important bearing upon matters pending before the Legislature; therefore, be it

Resolved, That the Attorney-General be requested to immediately arrange and cause said documentary evidence to be arranged in consecutive order, so as to make the same readable, and to report the same to the Senate.

ADJOURNMENT.

At six o'clock P. M., on motion of Senator Hamill, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, March 18, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

The reading of the Journal was dispensed with, on motion of Senator Crandall.

RESOLUTION—(OUT OF ORDER).

By Senator Voorhies:

SENATE CONCURRENT RESOLUTION No. 5.

WHEREAS, Certain documentary evidence, consisting of scraps and pieces of written memoranda were delivered by certain members of the Senate and Assembly to the Attorney-General on the seventeenth instant, in sealed envelopes for safe-keeping and investigation; and whereas, it is claimed and alleged that such documentary evidence is important and material as having a bearing upon matters pending before the Legistature; therefore, be it

Resolved by the Senate, the Assembly concurring, That a committee of three from each House be appointed, who, with the Attorney-General, shall open said envelopes, arrange such documentary evidence so as to make it readable, and report the same to both Houses without delay.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Campbell of Siskiyou, Crandall, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—None.

Resolution ordered transmitted immediately to the Assembly.

LEAVE OF ABSENCE.

Senator Seawell asked for leave of absence until twelve o'clock M. to-day.

Granted.

MOTION.

Senator Goucher moved to take up Assembly messages.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, as amended, Senate Bill No. 60—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Also: Respectfully refused to concur in Senate amendments to Assembly Bill No. 235.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

MOTIONS.

Senator Goucher moved that the Senate concur in Assembly amendments to Senate Bill No. 60.

The roll was called, and the motion adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Crandall, Dargie, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—Messrs. Denison and Dray—2.

Senator Heacock moved that a Committee of Conference be appointed by the Chair to meet with a like committee from the Assembly, relative to Senate amendments to Assembly Bill No. 235.

Motion prevailed.

The Chair appointed Senators Seawell, Ragsdale, and Shippee.

On motion of Senator Maher, further consideration of Assembly messages was temporarily postponed.

Senator Maher moved to take up the special order set for this day immediately after the reading of the Journal.

So ordered.

SPECIAL ORDER.

Assembly Bill No. 741—An Act for the relief of Colonel Jonathan D. Stevenson.

The question being, "Shall the bill become a law, notwithstanding the veto of the Governor?"

The roll was called, with the following result:

AYES—Messrs. Britt, Maher, Simpson, Welch, and Williams (Wm. H.)—5.

NOES—Messrs. Bailey, Banks, Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Mahoney, McComas, Ostrom, Preston, Shippee, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—29.

REQUEST.

Senator Preston asked leave to introduce a bill.

The roll was called, and permission granted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Byrnes, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—None.

INTRODUCTION OF BILL.

By Senator Preston: Senate Bill No. 700—An Act appropriating money to pay the salary of phonographic reporter in the Attorney-General's office, from the first of April to the first of July, 1891.

Bill read first time.

RESOLUTION—(OUT OF ORDER).

By Senator Preston:

Resolved, That Senate Bill No. 700 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Senator Preston moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Langford, Maher, Mahoney, McComas, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Senator Preston moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The roll was called on the resolution, and it was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Preston, Shippee, Simpson, Sprague, Streeter, and Williams (Wm. H.)—29.

NOES—Messrs. Campbell of Solano and Ostrom—2.

REQUEST.

Senator McComas asked leave to introduce a bill.

The roll was called, and permission granted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Harp, Langford, Maher, McComas, Mead, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—None.

INTRODUCTION OF BILL.

By Senator McComas: Senate Bill No. 701—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate, twenty-ninth session.

Bill read first time.

RESOLUTION—(OUT OF ORDER).

By Senator McComas:

Resolved, That Senate Bill No. 701 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section

requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Preston, Ragsdale, Shippee, Sprague, Streeter, and Williams (Wm. H.)—28.
NOES—None.

Senate Bill No. 701 read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Siskiyou, Carpenter, De Long, Denison, Fraser, Goucher, Harp, Heacock, Maher, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—22.
NOES—None.

Title read and approved.

Senate Bill No. 700—An Act appropriating money to pay the salary of phonographic reporter in the Attorney-General's office, from the first of April to the first of July, 1891.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Fraser, Goucher, Heacock, Maher, McComas, Preston, Shippee, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—22.
NOES—None.

Title read and approved.

MOTION TO RECONSIDER.

Senator George H. Williams moved that the vote by which Senate Bill No. 212 was refused passage on yesterday be now reconsidered.

Senator Ostrom moved to amend by indefinitely postponing the reconsideration.

Senator G. H. Williams moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Senator Dray moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The roll was called, and the motion to indefinitely postpone was lost by the following vote:

AYES—Messrs. Crandall, Dray, Heacock, McComas, Ostrom, Preston, and Simpson—7.
NOES—Messrs. Banks, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Everett, Fraser, Hamill, Harp, Mahoney, Ragsdale, Seawell, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—16.

The roll was called on the motion to reconsider, and the Senate decided to reconsider its action by the following vote:

AYES—Messrs. Banks, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Everett, Flint, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, Mead, Ragsdale, Seawell, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—23.

NOES—Messrs. Bailey, Crandall, Dray, Heacock, McComas, Ostrom, Preston, Simpson, and Streeter—9.

On motion of Senator G. H. Williams, the further consideration of this matter was made a special order for three o'clock and thirty-one minutes P. M. to-day.

So ordered.

MOTION.

The hour of twelve o'clock M. having arrived, Senator Preston moved that the Senate now proceed to the Assembly Chamber and go into joint convention with that body for the purpose of balloting for United States Senator.

So ordered.

IN JOINT ASSEMBLY.

On Wednesday, March 18, 1891, at twelve o'clock M., the Senate and Assembly met in Joint Assembly for the purpose of electing a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner for holding elections for Senators in Congress," approved July 25, 1866.

Hon. J. B. Reddick, President of the Senate, in conjunction with Hon. F. L. Coombs, Speaker of the Assembly, presiding.

The roll of the Senate was called by the Secretary, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

The roll of the Assembly was called by the Chief Clerk, and the following members answered to their names:

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum of both branches of the Legislature present.

READING OF THE JOURNAL.

The Journal of yesterday's proceedings in Joint Assembly was read by the Secretary of the Senate.

Journal corrected and approved.

The President of the Senate then announced that nominations for United States Senator were in order.

ROLL CALL.

The Secretary of the Senate called the roll of the Senate, and each Senator present pronounced the name of the person for whom he voted, as follows:

For Blanchard—Mr. Fraser.
For Estee—Messrs. Bailey, Byrnes, Campbell of Siskiyou, Carpenter, Dray, Flint, Heacock, McComas, McGowan, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, and Voorhies.
For Felton—Messrs. Banks, Broderick, Crandall, Dargie, De Long, Everett, Maher, Mahoney, and Williams (Geo. H.).
For Johnston—Mr. Denison.
For White—Messrs. Berry, Britt, Goucher, Hamill, Mead, Ostrom, Seawell, and Welch.

Whole number of votes cast	35
Mr. Blanchard received	1
Mr. White received	8
Mr. Johnston received	1
Mr. Estee received	16
Mr. Felton received	9

The Clerk of the Assembly called the roll of the House, and each member present voted for his choice for Senator, as follows:

For Blanchard—Mr. Baughman.
For Estee—Messrs. Ames, Barnett of San Francisco, Barnett of Sonoma, Beecher, Bert, Brown, Bryant, Cargill, Clark, Culver, Durner, Estey, Fowler, Freeman, Hail, Harloe, Hawley, Hocking, Hunewill, Johnson, Kellogg, Lacey, Lewis, Matlock, McCall, Murphy, Smith of Butte, Smith of Orange, Sturtevant, Weston, and Mr. Speaker.
For Felton—Messrs. Alexander, Barnard, Carter, Colley, Daly, Dennis, Dibble, Dow, Galbraith, Glynn, Gordon, Hayes, Hersey, Hoey, Jones, Lowe, Lux, Lynch, Marion, Phillips, Steltz, Tennis, Tully, Wentworth, Windrow, and Young.
For Johnston—Messrs. Bruner and Brusie.
For Perkins—Mr. Cram.
For White—Messrs. Arms, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murman, Renfro, Rice, Robertson, Shanahan, and Stabler.
For Irish—Mr. Cunningham.

Whole number of votes cast	78
Mr. Blanchard received	1
Mr. Irish received	1
Mr. Estee received	31
Mr. Felton received	26
Mr. White received	16
Mr. Perkins received	1
Mr. Johnston received	2

The President of the Senate then announced the whole number of votes cast to be one hundred and thirteen; necessary for a choice, fifty-seven; and that

Geo. G. Blanchard received	2
S. M. White received	24
M. M. Estee received	47
Chas. N. Felton received	35
John P. Irish received	1
Geo. C. Perkins received	1
Wm. Johnston received	3

Senator Crandall moved that the Joint Assembly do now adjourn until to-morrow, at twelve o'clock M.

Roll call was demanded by Messrs. Brusie, Matlock, and Galbraith.

The roll of the Senate was called by the Secretary, with the following result:

AYES—Messrs. Bailey, Banks, Berry, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Heacock, Maher, Mahoney, McGowan, Ostrom, Seawell, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—Messrs. Britt, Byrnes, Goucher, Hamill, Harp, McComas, Mead, Preston, Ragsdale, and Sprague—10.

The roll of the Assembly was called by the Chief Clerk, with the following result:

AYES—Messrs. Alexander, Barnett of San Francisco, Baughman, Bruner, Cargill, Carter, Coffey, Cram, Daly, Dennis, Dibble, Dow, Fowler, Galbraith, Glynn, Gordon, Hawley, Hayes, Hersey, Hoey, Johnson, Jones, Kellogg, Lowe, Lux, Lynch, Marion, Mathews, Phillips, Renfro, Smith of Orange, Steltz, Tennis, Tully, Wentworth, Windrow, Young, and Mr. Speaker—38.

NOES—Messrs. Ames, Arms, Barnard, Barnett of Sonoma, Beecher, Bert, Bledsoe, Brown, Brusie, Bryant, Clark, Culver, Doty, Dunn, Durner, Eakle, Estey, Freeman, Garver, Gould, Hail, Harloe, Hocking, Hunewill, Jackson, Lacey, Lewis, Martin, Matlock, McCall, Mordecai, Murnan, Murphy, Rice, Robertson, Shanahan, Smith of Butte, Stabler, Sturtevant, and Weston—40.

ADJOURNMENT.

Whereupon, at twelve o'clock and thirty-six minutes P. M., the Joint Assembly was declared adjourned to meet at twelve o'clock M. to-morrow.

REASSEMBLED.

The Senate, at twelve o'clock and fifty minutes P. M., reassembled.

President Reddick in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

RECESS.

At twelve o'clock and fifty-one minutes P. M., on motion of Senator Goucher, the Senate took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

LEAVE OF ABSENCE.

Senator Seawell asked and was granted a leave of absence for this afternoon.

MOTION.

Senator Heacock moved to take up the last Assembly message received by the Senate.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended and adopted Senate Concurrent Resolution No. 5—Relative to appointing a committee of investigation in the matter of documentary evidence pertaining to the Legislature.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Assembly amendment:

Amend the Senate Concurrent Resolution to read: "a committee of five from the Assembly," instead of "a committee of three."

Senator Heacock moved that the Senate concur in the Assembly amendment to Senate Concurrent Resolution No. 5.

Motion carried, and amendment concurred in.

The President appointed Senators Voorhies, Crandall, and Berry as such committee, in compliance with said concurrent resolution.

Senator Campbell of Solano moved that the Judiciary Committee be instructed to return to the Senate on to-morrow morning Senate Bill No. 659.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 18, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 605—An Act to provide pensions for teachers of the public schools of the State of California.

Also: Senate Bill No. 700—An Act appropriating money to pay the salary of phonographic reporter in Attorney-General's office, from the first of April to the first of July, 1891.

Also: Senate Bill No. 701—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers of the Senate, twenty-ninth session.

RAGSDALE, Chairman.

REQUEST.

Senator Mead asked permission to introduce a bill out of order.

The roll was called, and permission granted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Denison, Dray, Flint, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Welch, and Williams (Wm. H.)—27.

NOES—None.

INTRODUCTION OF BILL.

By Senator Mead: Senate Bill No. 702—An Act for the relief of Colonel Jonathan D. Stevenson, and to appropriate money therefor.

Read first time, and ordered printed.

SPECIAL ORDER.

Assembly Bill No. 561—An Act making appropriations for the support of the government of the State of California for the forty-third and forty-fourth fiscal years.

AMENDMENTS—(RESUMED).

In line two hundred and thirty-four, section one, page eight, of printed bill, strike out the words "four thousand" and insert the words "four thousand five hundred."

Adopted.

In line two hundred and fifty-eight, section one, page nine, of printed bill, strike out the words "three thousand five hundred" and insert the words "five thousand."

Adopted.

By Senator Harp:

Amend section one by inserting in line two hundred and sixty-one, after the word "dollars," the following: "For aid to District Agricultural Society No. 38, three thousand five hundred dollars."

Adopted.

At three o'clock and thirty minutes P. M. further consideration of Assembly Bill No. 561 was laid over until to-morrow, and the amendments ordered printed.

On motion of Senator G. H. Williams, the consideration of Assembly Bill No 212 was postponed until after the consideration of the special order set for this hour.

Senator Maher moved that the rules be temporarily suspended, and the Senate now take up the special order set for this hour (Senate Bills Nos. 82 and 83).

CALL OF THE SENATE.

Senator Maher moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Senator Ostrom moved that further proceedings under the call of the Senate be dispensed with.

Motion lost.

Senator Flint was brought before the bar of the Senate, and on motion of Senator Maher he was excused.

On motion of Senator Ostrom, further proceedings under the call were dispensed with.

The roll was called on Senator Maher's motion, and the rules were suspended by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, De Long, Denison, Everett, Flint, Fraser, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—Messrs. Berry, Carpenter, Crandall, Dray, Goucher, Ostrom, and Shippee—7.

SPECIAL ORDER—MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 13, 1891.

To the Senate of the State of California:

I herewith return to your honorable body, without my approval, Senate Bill No. 82—Entitled "An Act to amend an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code."

My objection to this measure is that it is sought to establish a uniform rate of wages for unskilled labor, on public works, all over the State.

The price of labor varies in different localities, and naturally, according to the difference in the cost of living. But without regard to this difference, the price of unskilled labor is by this bill arbitrarily fixed at two dollars per day.

Again, it is what is termed class legislation. The number of laboring men employed on public works is exceedingly small, compared with the great mass of laborers who are not so employed, and who could not obtain the influence necessary to obtain such employment. In this respect it is very unjust and a discrimination in favor of a small percentage of those interested.

It is certainly unjust in its effect upon aged or young persons, cripples, or those not able to perform a full day's work. Many of these people are employed, with equal benefit to themselves and their employers, but if two dollars per day must be paid therefor, it immediately drives all such out of employment in any public work.

It limits the power of the State or municipality, and would force them to pay, in many instances, more for work performed or contracts entered into, than the individuals, as no contractor could calculate upon paying less than two dollars per day, notwithstanding that the price of labor in that particular locality is less. This would increase taxation, and the great mass of laboring men would be compelled to pay higher taxes for the benefit of the few who would be thus employed.

It would increase the number of those who seek public employment, and would tend towards demoralization of political principles, from the fact that in order to obtain the higher wages, the laborer would be tempted to place himself more unreservedly in the hands of his employer, for political purposes, and not act as independently as he would were nothing to be gained.

After very careful consideration and thorough examination, I am fully convinced that the measure will not favorably affect the condition of the working men throughout the State.

H. H. MARKHAM, Governor.

On the question, "Shall the bill become a law notwithstanding the veto of the Governor?" the roll was called, with the following result:

AYES—Messrs. Britt, Broderick, Maher, Mahoney, McGowan, Mead, Welch, Williams (Wm. H.), and Williams (Geo. H.)—9.

NOES—Messrs. Bailey, Banks, Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, McComas, Ostrom, Preston, Ragsdale, Shippee, Simpson, and Voorhies—24.

Whereupon, the President announced that the Senate failed to pass the bill over the Governor's veto.

LEAVE OF ABSENCE.

The investigating committee this day appointed, consisting of Senators Voorhies, Crandall, and Berry, were, on motion of Senator Dray, excused for the balance of the day.

SPECIAL ORDER—(RESUMED).

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 13, 1891.

To the Senate of the State of California:

I herewith return to your honorable body, without my approval, Senate Bill No. 83—Entitled "An Act to amend an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, by amending section three thousand two hundred and forty-five, relative to eight hours being a legal day's work."

In my inaugural address, in commenting upon this subject, I said:

"It is claimed by organized bodies of labor, through communications to me, that the eight-hour law on our statute books has been evaded. If the failure to enforce the law arises from an inherent defect in the law itself, I trust that you will remedy the same."

The amendment proposed to section three thousand two hundred and forty-five was no doubt made for the purpose of giving effect to the suggestion therein made, and is as follows:

"And every contractor or sub-contractor shall agree therein and thereby, in addition to the foregoing provisions, not to require or knowingly permit any person or persons performing work of any nature toward the completion of the work specified in said contract to work more than eight hours in any one day. And for the violation of any provision contained in this section, or in said contract or sub-contracts, the contractor or sub-contractor to receive pay under said contract shall forfeit all payments due or to become due thereon; and that he shall not recover any compensation for said work, either upon quantum meruit or otherwise."

The question that arises is, Will the desired result be obtained by the adoption of this amendment? In my opinion it will not, and for the following reasons:

The present law provides that eight hours upon public works shall constitute a day's work, and this is made a part of every contract between the State or municipality and another party. This law applies to work by the day, and not where work is done by piece-work or by the hour. It is now proposed to amend the present law so that the contractor and sub-contractor shall forfeit all pay for work done, if any laborer is permitted to work more than eight hours in any one day. If the amendment does not apply to piece-work or work done by the hour, it would be of no effect, for the employer would simply hire his men to work by the piece or by the hour. If it does apply to piece-work or work done by the hour, it would operate to the injury of the laboring man, in many cases, by preventing industrious men from earning more than is paid for eight hours' work. No law should be framed to prevent a man from working as many hours as he pleases, if he obtains corresponding pay.

Again, in the present law, the contract referred to is the contract between the State or municipality and the laborer or the contractor. It is this contract of which eight hours' labor for a day's work forms a part. It forms no part of the contract between the contractor and the sub-contractor. The sub-contractor does not enter into the original contract with the State or municipality, and is not a party thereto, and he cannot agree "therein and thereby" not to permit any person "to work more than eight hours in any one day."

If it is a part of the contract or sub-contract, it must be so considered, from the fact that the sub-contract is controlled by the original contract, not because it is expressly so made by the amendment, and forfeitures are not usually upheld by Courts upon inference.

Assuming that the provisions of the amendment apply to all work done under sub-contracts as well as under the original contracts, whether done by the day or by the piece or hour, it is too indefinite in its application. It is proposed to prevent any person from "performing work of any nature toward the completion of the work specified in said contract, to work more than eight hours in any one day." If that is not done, the contractor forfeits all payment for his work. It is difficult to tell how far this clause will reach. Suppose a contract is made by the State to construct a public building. The contractor will require lumber, brick, stone, millwork, iron, and all classes of materials and all kinds of labor. He contracts with his lumberman for the lumber, the brickmaker for the brick, the millman for the millwork, etc., and so on. The contractor has no control over the work performed by these various classes. It is practically impossible for the contractor to watch the lumber camp, the brick kiln, the millmen, and every other class of labor performed upon the materials that go to make up the structure. Yet, if one of these various classes should see fit to permit any person to work more than eight hours in any one day upon the materials to be furnished, then the contractor is obliged to forfeit "all payments due or to become due on his contract." It puts the contractor at the mercy of the sub-contractor.

The result would be that no small mechanic carrying on a single business could afford to compete for any public work. Only those firms, persons, or corporations who own their own mills, brickyards, etc., and who do their own work in the various departments of business, could afford to enter into any contract to construct public works for the State. The State would be practically at the mercy of the big contractor, who would charge what he saw fit for his work and materials. Such a system would be detrimental both to the State and the great class of mechanics who constitute the better element of the laboring masses.

I believe, therefore, instead of having a tendency toward remedying the evils complained of, it only increases them by adding new conditions, which are indefinite and conflicting.

Any amendment to the present law, which raises serious legal questions, and is capable of different interpretations, complicates the matter, and in my judgment is a positive injury to the laboring man. It appears to me that the eight-hour law, as it stands, would be effective, if a penalty were added, or some means devised to compel its enforcement.

H. H. MARKHAM, Governor.

Senator Maher moved a call of the Senate.
So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.).

All present, with the exception of those previously excused.

Senator Carpenter moved that the Committee on Conference be sent for.

Motion lost.

On the question, "Shall the bill become a law notwithstanding the veto of the Governor?" the roll was called, with the following result:

Ayes—Messrs. Banks, Britt, Broderick, Campbell of Solano, Everett, Maher, Mahoney, McGowan, Welch, Williams (Wm. H.), and Williams (Geo. H.)—11.

Noes—Messrs. Bailey, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Fraser, Harp, Heacock, McComas, Ostrom, Preston, Ragsdale, Simpson, Sprague, and Streeter—18.

Whereupon, the President announced that the Senate refused to pass the bill over the Governor's veto.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 212—An Act to repeal section three hundred and thirty-seven of the Penal Code.

Bill finally passed by the following vote:

Ayes—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, Mead, Preston, Ragsdale, Seawell, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—23.

Noes—Messrs. Bailey, Crandall, De Long, Dray, Heacock, McComas, McGowan, Ostrom, Shippee, and Streeter—10.

NOTICE OF RECONSIDERATION.

Senator Preston gave notice that on to-morrow he would move to reconsider the vote by which Assembly Bill No. 212 was finally passed.

MOTIONS.

On motion of Senator Goucher, the consideration of Senate Bill No. 678 was made a special order before anything else on to-morrow, immediately after the reading of the Journal.

Senator Voorhies introduced the following amendment to Senate Concurrent Resolution No. 5:

And that said joint committee shall have power to subpœna and examine witnesses in connection with said papers, and upon the subject-matters therein mentioned and referred to.

The roll was called, and the amendment adopted by the following vote:

Ayes—Messrs. Bailey, Berry, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—32.

Noes—None.

Senator Ostrom moved that Assembly Bill No. 685 be made a special order for to-morrow, immediately after the consideration of Senate Bill No. 678, and that it supersede all other matters of legislation.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Concurrent Resolution, as follows:

Resolved by the Assembly, the Senate concurring, That said joint committee of investigation have power to subpœna witnesses, in connection with said papers, upon the subject-matters therein mentioned and referred to.

H. A. MASON, Chief Clerk.

Senator Voorhies moved that the Senate concur in the Assembly amendment to Senate Concurrent Resolution No. 5.

On roll call, the motion was carried by the following vote:

AYES—Messrs. Bailey, Banks, Byrnes, Campbell of Solano, Campbell of Siskiyou, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, and Williams (Geo. H.)—26.

NOES—None.

REQUEST.

Senator Goucher asked permission to introduce a bill.

The roll was called, and permission granted by the following vote:

AYES—Messrs. Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, and Voorhies—27.

NOES—None.

INTRODUCTION OF BILL.

By Senator Goucher: Senate Bill No. 703—An Act to increase the number of Judges of the Superior Court of the county of Fresno, State of California, and for the appointment of an additional Judge of such Court in said county, and to provide for the payment of salary therefor.

Bill ordered printed.

CASE OF URGENCY.

Senate Bill No. 432—An Act fixing a bounty on coyote scalps.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Sprague, Streeter, Voorhies, and Williams (Geo. H.)—27.

NOES—None.

Title read and approved.

ADJOURNMENT.

On motion of Senator Byrnes, the Senate stood adjourned at five o'clock and twenty-five minutes P. M.

IN SENATE.

SENATE CHAMBER,
Thursday, March 19, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Flint, Fraser, Goucher, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator McComas moved that further reading of the Journal be dispensed with.

So ordered.

LEAVE OF ABSENCE.

The investigating committee appointed in relation to Senate Concurrent Resolution No. 5, consisting of Senators Crandall, Voorhies, and Berry, were granted leave of absence.

Senator Seawell was granted leave of absence until noon.

Senator Streeter was granted leave of absence for the day.

SPECIAL ORDERS.

Senate Bill No. 678—An Act to establish a uniform system of county and township governments.

AMENDMENTS.

By Senator Goucher:

Strike out subdivision seventeen, of section two hundred and ten, page one hundred and twenty-nine, and substitute the following:

"17. The officers mentioned in section fifty-seven of this Act, except as hereinafter provided, shall be elected in the year eighteen hundred and ninety-two, and every four years thereafter, and shall take office at twelve o'clock meridian, on the first Monday after the first day of January next succeeding their election; *provided*, that Supervisors, Assessors, and Superintendents of Schools shall be elected as herembefore provided in this Act. All officers elected under the provisions of this Act shall hold office until their successors are elected or appointed and qualified."

Adopted.

Also: Amend section one hundred and seventy, page sixty-one, by striking out subdivision twenty-six, and substitute the following:

"The officers mentioned in section fifty-seven of this Act, except as hereinafter provided, shall be elected in the year eighteen hundred and ninety-two, and every four years thereafter, and shall take office at twelve o'clock meridian, on the first day of January next succeeding their election; *provided*, that Supervisors, Assessors, and Superintendents of Schools shall be elected as herembefore provided in this Act. All officers elected under the provisions of this Act shall hold office until their successors are elected or appointed and qualified."

Adopted.

Also: Amend section one hundred and seventy, subdivision twenty-one, on page sixty, line one hundred and nine, of printed bill, by inserting between the words "appoint" and "an" the following: "An Assistant District Attorney, at a salary of eighteen hundred dollars per annum."

Adopted.

Also: Amend section one hundred and seventy, subdivision seventeen, by inserting on line seventy-six, page sixty, of the printed bill, between the words "month" and "he," at end of line, the following: "And a comparing deputy, at a salary of one hundred dollars per month."

Adopted.

By Senator Sprague:

Amend section twenty-five, line one hundred and ninety-five, by inserting after the word "Supervisors" the following: "except counties of the first class."

Adopted.

By Senator Harp:

Amend section two hundred and four, line seven, by inserting after the word "eight" the word "nine."

Adopted.

President pro tem. Fraser in the chair.

By Senator Carpenter:

Amend by striking out of section seventeen, lines two, three, four, five, six, seven, and eight, all after the word "apportionment," and inserting the following: "for the unexpired term."

Amendment lost by the following vote:

AYES—Messrs. Carpenter and Mead—2.

NOES—Messrs. Bailey, Banks, Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Dargie, Denison, Dray, Fraser, Harp, Heacock, Langford, Mahoney, McComas, McGowan, Ostrom, Shippee, Simpson, Welch, and Williams (Wm. H.)—21.

By Senator Berry:

Amend by adding to section one hundred and seventy-three, line thirteen, after the word "annum," the following: "and the District Attorney may appoint a Deputy District Attorney, at a salary of fifteen hundred dollars per annum, who shall hold his office at the pleasure of the District Attorney."

Adopted.

Also: Amend by striking out of section one hundred and seventy-three, line twenty-six, all after the word "shall," and all of line twenty-seven, and insert the following: "not in any way be construed to affect present incumbents."

Adopted.

Senate Bill No. 678 ordered engrossed and printed as amended.

Senate Bill No. 702—An Act for the relief of Colonel Jonathan D. Stevenson, and to appropriate money therefor.

Bill read second time.

Amendment by Senator Mead:

Amend section two, line five, by inserting the following after the word "same:" "and the direction to the Controller herein, and said Treasurer, is hereby exempted and excepted from the provisions of sections four hundred and fifty-three and six hundred and seventy-two of the Political Code of the State of California."

Adopted.

Bill ordered engrossed and printed as amended, and on file for third reading.

RESOLUTION—(OUT OF ORDER).

By Senator Heacock:

Resolved, That Senate Bill No. 699 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Banks, Berry, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, Denison, Everett, Fraser, Goucher, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.
NOES—None.

CASE OF URGENCY.

Senate Bill No. 699—An Act to provide a salary for the Keeper of the Archives in the office of the Secretary of State, for the balance of the forty-second fiscal year.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Broderick, Byrnes, Carpenter, Dargie, De Long, Denison, Everett, Flint, Fraser, Harp, Heacock, Langford, McComas, Mead, Ostrom, Shippee, Simpson, Williams (Wm. H.), and Williams (Geo. H.)—21.
NOES—None.

Title read and approved.

On motion of Senator Fraser, Senate Joint Resolution No. 27 was taken up.

SENATE JOINT RESOLUTION No. 27.

Joint resolution relative to surveying and establishing the eastern boundary line of the State of California.

WHEREAS, Pursuant to an Act of the Legislature of the State of California, approved February twenty-sixth, eighteen hundred and eighty-nine, a survey has been made by State authority of so much of the eastern boundary of the State of California, southeastward from the intersection of the thirty-ninth degree of north latitude with the one hundred and twentieth degree of longitude west of Greenwich; and whereas, said survey has been made, and the Surveyor-General of this State has made a report thereof to the Legislature of this State, as in said Act provided, and said report shows that said boundary line as at present supposed to exist is wrong, and should be corrected; and whereas, it is necessary that action in this matter should be taken by the United States; *Resolved by the Senate and Assembly of California*, That the California delegation in Congress be and they are hereby requested to take such action as will secure the correct establishment of said line.

Resolved, That the Governor of this State forward to each member of the California delegation a copy of this resolution.

Resolution read, and on roll call it was adopted by the following vote:

AYES—Messrs. Banks, Berry, Broderick, Byrnes, Carpenter, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Williams (Wm. H.), and Williams (Geo. H.)—26.
NOES—None.

Resolution ordered transmitted to the Assembly.

On motion of Senator Berry, Senate Bill No. 399 was taken up.

Senate Bill No. 399—An Act to amend section one thousand and

ninety-four of "An Act to establish a Political Code," approved March 20, 1889, relating to elections.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—None.

Title read and approved.

SPECIAL ORDER.

Assembly Bill No. 685—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvement of highways by contract let out to the lowest bidder.

Bill read first time, and, on motion of Senator Ostrom, made a special order for three o'clock and thirty minutes this afternoon.

Senator Banks moved that Assembly messages be taken up.

So ordered.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, refused to pass Senate Bill No. 1—An Act appropriating the sum of ninety thousand ($90,000) dollars for the erection of an additional building for the use of the State Insane Asylum at Agnews.

Also: Ordered off the file, Senate Bill No. 72—An Act regulating the form of requisitions for stationery made by the members of the Legislature, and the officers and employés thereof, upon the Secretary of State.

Also: Senate Constitutional Amendment No. 3—Proposed amendment to article one, relative to the freedom of speech and the press.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 685—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and forty-six, and to repeal section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the maintenance and improvement of highways by contract let out to the lowest bidder.

Also: On March sixteenth, passed Assembly Bill No. 576—An Act to amend sections one thousand five hundred and seventy-seven, one thousand five hundred and seventy-eight, and one thousand five hundred and seventy-nine of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Also: Senate Bill No. 395—An Act to provide for the payment of the claim of A. B. Dibble, for professional services performed by him in the case of the People, respondent, vs. O. P. Dobbins, appellant, No. 12,106, Department One of the Supreme Court, August 30, 1887.

Also: Senate Bill No. 238—An Act to amend sections seven hundred and ninety-nine and eight hundred of the Penal Code, relating to the limitation of time within which prosecution for murder, the embezzlement of public moneys, and the falsifications of public records must be commenced, and providing the time within which informations may be filed, or indictments found, for other felonies.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 530—An Act to provide for payment for private property heretofore taken for public use.

Also: Senate Bill No. 414—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for clerks and a phonographic reporter in the office of the Attorney-General, and fixing their salaries.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 348—An Act to amend section ninety-two of the Civil Code, and to add a new section to the Civil Code, to be designated as section one hundred and eight, concerning divorces.

Also: Assembly Bill No. 603—An Act to prevent the placing, or keeping, or leaving of married woman in houses of prostitution, and to punish persons therefor.

Also: Substitute for Assembly Bill No. 4—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, and one thousand two hundred, and to repeal section one thousand one hundred and eighty-eight, and to add a new section, to be numbered one thousand two hundred and three, of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, all relating to liens of mechanics and others.

Also: Assembly Bill No. 500—An Act to appropriate money to pay for the services of W. L. Wolfe, assistant at Los Angeles to the Commissioner of the Bureau of Labor Statistics.

Also: Assembly Bill No. 455—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service, and upon public works of the State of California, of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

Also: Assembly Bill No. 216—An Act to determine that lands of this State are swamp and overflowed when returned as such by the United States Surveyor-General.

Also: Adopted Senate Constitutional Amendment No. 14—Proposed amendment to article eleven of the Constitution, relative to the framing and adoption of charters by cities containing more than three thousand five hundred inhabitants.

Also: Passed Senate Bill No. 71—An Act prescribing the competency and for the protection of witnesses testifying as to crimes against the elective franchise, to be added as a new section under title four of the Penal Code of the State of California, and to constitute section sixty-four of said Penal Code.

Also: Senate Bill No. 76—An Act to amend section one thousand one hundred and eighty-one of the Civil Code of the State of California, as amended April 3, 1880, relating to the proof and acknowledgment of instruments.

Also: Senate Bill No. 609—An Act to amend section six hundred and eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to cemetery corporations.

Also: Senate Bill No. 42—An Act to amend an Act entitled "An Act to amend section three thousand four hundred and eighty-eight of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, and to make sections three thousand four hundred and forty-six, three thousand four hundred and forty-seven, three thousand four hundred and forty-nine, three thousand four hundred and fifty, three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-seven, three thousand four hundred and fifty-nine, three thousand four hundred and sixty, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-three, three thousand four hundred and sixty-five, three thousand four hundred and sixty-six, three thousand four hundred and sixty-seven, three thousand four hundred and sixty-eight, three thousand four hundred and seventy-one, three thousand four hundred and seventy-two, and three thousand four hundred and seventy-three of said Political Code, relating to the reclamation of certain lands within certain municipalities," approved March 19, 1889.

Also: Substitute for Senate Bill No. 252—An Act for the relief of the heirs of Michael Curran, deceased.

Also: Senate Bill No. 479—An Act to provide for the establishment of High Schools in the State of California.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 305—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the laws for the preservation of fish, for the thirty-ninth, fortieth, and forty-first fiscal years.

Also: Senate Bill No. 255—An Act to amend section five hundred and ninety-eight of the Civil Code of the State of California, relating to benevolent and religious corporations.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 671—An Act to provide for funding the indebtedness of Levee District No. 6, of Sutter County, and to provide for the payment of such funded debt.

Also: On March thirteenth, passed Assembly Bill No. 208—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State."

Also: On March sixteenth, passed Assembly Bill No. 736—An Act to amend an Act entitled "An Act to establish a Penal Code," approved March 12, 1885, by amending section six hundred and twenty-six of the Political Code, relating to the laws for the preservation of game birds and animals.

Also: On March seventeenth, passed Assembly Bill No. 99—An Act requiring corporations and persons doing a banking business in this State to file with the Controller of State statements showing moneys on deposit with them to which no claims have been made within ten years, and authorizing the Attorney-General to institute proceedings to ascertain its ownership.

Also: On March eighteenth, passed Senate Bill No. 590—An Act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended and passed Senate Bill No. 215—An Act to authorize the Board of Fish Commissioners of this State to purchase the land on which the State fish hatcheries at Sisson and Lake Tahoe are now situated, and appropriating money therefor.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 304—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year.

Also: Senate Bill No. 9—An Act to provide for the payment of the repairs upon the quarantine launch "Governor Perkins."

Also: Assembly Bill No. 542—An Act to provide for the formation, organization, and government of sanitary districts, and to provide for the laying and maintaining of sewers therein, the issuing of bonds therefor, and the levying and collection of taxes therein.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

RESOLUTION.

By Senator Byrnes:

Resolved, That substitute for Assembly Bill No. 542 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Harp, Langford, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—None.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 579—An Act for the relief of Emma Kelly, widow of G. H. Kelly, and appropriating seven thousand five hundred dollars therefor.

Also: Senate Bill No. 690—An Act to add a new section, to be known as section six hundred and eighty-four of the Political Code, in regard to the appointment of and fixing the salary of an assistant to the Secretary of the State Board of Examiners, and to appropriate money for the payment of his salary.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1891.

MR. PRESIDENT: I am directed to inform your honorable body, that in accordance with provisions of Senate Concurrent Resolution No. 5, the following were appointed as a Committee of Investigation on behalf of the Assembly: Messrs. Freeman, Cram, Wentworth, Stabler, and Rice.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885.

Also: Assembly Bill No. 586—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections eighteen, twenty-four, twenty-five, and twenty-six thereof, relating to the assessment of property, and the collection of such assessments.

Also: Assembly Bill No. 512—An Act to amend section three thousand four hundred and sixty-six of the Political Code, relating to the collection of assessments made by Commissioners of Assessment in reclamation districts of this State.

Also: Assembly Bill No. 583—An Act repealing sections seven hundred and seventy-eight, seven hundred and seventy-nine, seven hundred and eighty, seven hundred and eighty-one, and seven hundred and eighty-two of the Political Code, relating to the printing of reports of decisions of the Supreme Court.

Also: Assembly Bill No. 554—An Act to amend section fifty-three of the Code of Civil Procedure, approved March 11, 1872, relating to powers on appealed cases.

Also: Assembly Bill No. 78—An Act to provide compensation to G. B. Montgomery, for professional services rendered the State of California, at the request of the Attorney-General.

Also: Assembly Bill No. 404—An Act making an appropriation for reimbursing the Japanese Government for moneys expended in the extradition of Calvin Pratt, a fugitive from the justice of this State, and to provide for transmitting the same to Japan.

Also: Assembly Bill No. 501—An Act to amend an Act to establish a Civil Code, approved March 21, 1872, by adding two new sections thereto, to be numbered one thousand eight hundred and fifty-six and one thousand eight hundred and fifty-seven, relating to the lien of depositaries for hire.

Also: Assembly Bill No. 748—An Act to repeal an Act entitled "An Act to establish a Board of Silk Culture, and to provide moneys for the expenses thereof," approved March 15, 1883, and all Acts and parts of Acts amendatory thereof and supplemental thereto; to abolish said Board, and to provide for the care of the State property under its control.

Also: Senate Bill No. 599—An Act entitled an Act relating to the working, rights of way, easement, and drainage of mines in the State of California.

Also: Senate Bill No. 234—An Act to establish a standard of weights and measures.

Also: Senate Bill No. 88—An Act to pay the claim of James W. Rankin, for services in the office of the State Treasurer of California, and appropriate money therefor.

Also: Senate Bill No. 393—An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations.

Also: Senate Bill No. 172—An Act to appropriate the sum of four hundred and fifty-eight dollars and sixty-five cents, to pay the claim of William H. Murphy for money illegally paid the State of California.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, in accordance with the request of your honorable body, appointed the following Committee of Conference on Assembly Bill No. 235: Messrs. Shanahan, Baughman, and Bryant.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, refused passage to Senate Bill No. 545—An Act to define the duties of and to license land surveyors.

And, on March eighteenth, ordered off the file Senate Bill No. 117—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service, and upon public works of the State of California, of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

And Senate Bill No. 34—An Act to amend section three thousand seven hundred and eighty-five of the Political Code, relating to the redemption of property sold for delinquent taxes, and the notices to be given by the purchasers of property at delinquent tax sales before applying for a deed.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

RESOLUTION.

By Senator Mahoney:

Resolved, That Assembly Bill No. 554 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Ostrom, Preston, Shippee, Simpson, Sprague, Welch, Williams (Wm. H), and Williams (Geo. H.)—27.
NOES—None.

Assembly Bills Nos. 685, 576, 348, 603, 500, 455, 671, 208, 736, 99, 115, 586, 512, 583, 78, 404, 501, 748, 758, and substitute for Assembly Bill No. 4, ordered on special file of Assembly Bills.

On motion of Senator Dray, Assembly Bill No. 216 was ordered placed at head of special file of Assembly Bills.

Senator Banks moved that the Senate concur in the following Assembly amendments to Senate Bill No. 215, which were read:

Amend by striking out of section one, line three, the words "and Lake Tahoe."
Also: Strike out of section one, line four, the words "one thousand."
Also: Amend by striking out of section two, line one, the words "one thousand."
Also: Amend title by striking out the words "and Lake Tahoe."

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Flint, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Welch, Williams (Wm. H.), and Williams (Geo. H.)—24.
NOES—None.

Bill ordered to enrollment.

Senate Bills Nos. 395, 238, 530, 414, 71, 76, 609, 42, 479, 305, 255, 590, 304, 9, 579, 690, 599, 234, 88, 393, and 172, and substitute for Senate Bill No. 252, and Senate Constitutional Amendment No. 14, were ordered to enrollment.

On motion of Senator Byrnes, Assembly Bill No. 542 was substituted for Senate Bill No. 621 on urgency file.

LEAVE OF ABSENCE.

On motion of Senator Preston, a leave of absence for the day was granted Senator Streeter.

MOTIONS.

On motion of Senator De Long, Assembly Bill No. 404 was placed at the head of the special file of Assembly Bills.

On motion of Senator Mahoney, Assembly Bill No. 554 was substituted on urgency file for Senate Bill No. 468.

CASES OF URGENCY.

Assembly Bill No. 542—An Act to provide for the formation, organization, and government of sanitary districts, and to provide for the laying and maintaining of sewers therein, the issuing of bonds therefor, and the levying and collection of taxes therein.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Langford, McComas, Mead, Preston, Shippee, Simpson, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—Messrs. Carpenter and Ostrom—2.

Title read and approved.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 19, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 659—An Act to amend sections two thousand two hundred and ninety-two, two thousand two hundred and ninety-three, two thousand two hundred and ninety-four, and two thousand two hundred and ninety-six of the Political Code, relating to the State Library—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

SPRAGUE, Chairman.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 18, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 150—An Act to appropriate money for the completion of the building of the State Normal School at Chico.

Also: Senate Bill No. 566—An Act to amend section one thousand three hundred and fifty-two and one thousand seven hundred and fifty-one of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to executors and guardians of minors.

Also: Senate Bill No. 664—An Act relating to the transfer of moneys now in the State Treasury, in what is known and designated as Estate of Deceased Persons Fund, to the General Fund, as a loan.

Also: Senate Bill No. 33—An Act to provide buildings and improvements at the Deaf, Dumb, and Blind Asylum, and making an appropriation for the same.

Also: Senate Bill No. 502—An Act to create the office of Attorney for the State Board of Health and the Board of Health of the City and County of San Francisco.

Also: Senate Bill No. 415—An Act entitled an Act to amend section four hundred and seventy-two of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries.

Also: Senate Bill No. 131—An Act to provide for the erection of additional buildings for the California Home for the Care and Training of Feeble-Minded Children, to complete buildings now being erected, and to appropriate money therefor.

Also: Senate Bill No. 132—An Act appropriating the sum of fifty-six thousand dollars for the completion of buildings now being erected for the Mendocino State Asylum for the Insane, and to provide for the expenditure of the same.

Also: Senate Bill No. 27—An Act to provide for the improvement of the Reform School at Whittier, California, for Juvenile Offenders, and make an appropriation for the same.

Also: Senate Bill No. 134—An Act to amend sections one thousand one hundred and eighty-seven and one thousand one hundred and eighty-nine, and to repeal sections one thousand one hundred and eighty-six and one thousand one hundred and ninety-one of the Civil Code of the State of California, relating to the recording and the acknowledgment of transfers.

Also: Senate Joint Resolution No. 17—Relative to the mining industry in California.

Also: Senate Bill No. 64—An Act making an appropriation to pay the claim of D. Jordan.

Also: Senate Bill No. 259—An Act to appropriate money for the construction and equipment of the Preston School of Industry.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

MOTION.

At eleven o'clock and fifty-five minutes A. M., Senator Goucher moved that the Senate now proceed to the Assembly Chamber and go into Joint Assembly with that body for the purpose of balloting for United States Senator.

So ordered.

IN JOINT ASSEMBLY.

On Thursday, March 19, 1891, at twelve o'clock M., the Senate and Assembly met in joint session for the purpose of electing a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner for holding elections for Senators in Congress," approved July 25, 1866.

Hon. J. B. Reddick, President of the Senate, in conjunction with Hon. F. L. Coombs, Speaker of the Assembly, presiding.

The roll of the Senate was called by the Secretary, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

The roll of the Assembly was called by the Chief Clerk, and the following members answered to their names:

Messrs. Alexander, Ames, Arms, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Bert, Bledsoe, Brown, Bruner, Brusie, Bryant, Cargill, Carter, Clark, Coffey, Cram, Culver, Cunningham, Daly, Dennis, Dibble, Doty, Dow, Dunn, Durner, Eakle, Estey, Fowler, Freeman, Galbraith, Garver, Glynn, Gordon, Gould, Hail, Harloe, Hawley, Hayes, Hersey, Hocking, Hoey, Hunewill, Jackson, Johnson, Jones, Kellogg, Lacey, Lewis, Lowe, Lux, Lynch, Marion, Martin, Mathews, Matlock, McCall, Mordecai, Murnan, Murphy, Phillips, Renfro, Rice, Robertson, Shanahan, Smith of Butte, Smith of Orange, Stabler, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, Young, and Mr. Speaker.

Quorum of both branches of the Legislature present.

READING OF THE JOURNAL.

The Journal of yesterday's proceedings in Joint Assembly was read by the Secretary of the Senate.

Journal approved.

The President of the Senate then announced that nominations for United States Senator were in order.

ROLL CALL.

The Secretary of the Senate called the roll of the Senate, and each Senator present pronounced the name of the person for whom he voted, as follows:

For Estee—Messrs. Campbell of Siskiyou, Carpenter, Dray, Heacock, McComas, McGowan, and Sprague.

For Felton—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Maher, Mahoney, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Williams (Geo. H.).

For White—Messrs. Berry, Britt, Goucher, Hamill, Harp, Langford, Mead, Ostrom, Seawell, Welch, and Williams (Wm. H.).

Whole number of votes cast	39
Mr. White received	11
Mr. Estee received	7
Mr. Felton received	21

The Chief Clerk of the Assembly called the roll of the House, and each member present voted for his choice for Senator, as follows:

For Estee—Messrs. Bert, Cargill, Clark, Hawley, Kellogg, Matlock, Smith of Orange, and Mr. Speaker.

For Felton—Messrs. Alexander, Ames, Barnard, Barnett of San Francisco, Barnett of Sonoma, Baughman, Beecher, Brown, Bruner, Bryant, Carter, Coffey, Culver, Daly, Dennis, Dibble, Dow, Durner, Estey, Fowler, Freeman, Galbraith, Glynn, Gordon, Hail, Harloe, Hayes, Hersey, Hocking, Hoey, Hunewill, Johnson, Jones, Lacey, Lewis, Lowe, Lux, Lynch, Marion, McCall, Murphy, Phillips, Smith of Butte, Steltz, Sturtevant, Tennis, Tully, Wentworth, Weston, Windrow, and Young.

For Johnston—Mr. Brusie.

For Perkins—Mr. Cram.

For White—Messrs. Arms, Cunningham, Doty, Dunn, Eakle, Garver, Gould, Jackson, Martin, Mathews, Mordecai, Murman, Renfro, Rice, Robertson, Shanahan, and Stabler.

For Heacock—Mr. Bledsoe.

Whole number of votes cast	79
Mr. Estee received	8
Mr. Felton received	51
Mr. White received	17
Mr. Perkins received	1
Mr. Johnston received	1
Mr. Heacock received	1

The President of the Senate then announced the whole number of votes cast to be one hundred and eighteen; necessary for a choice, sixty; and that

S. M. White received	28
M. M. Estee received	15
Chas. N. Felton received	72
Geo. C. Perkins received	1
Wm. Johnston received	1
E. H. Heacock received	1

The Speaker of the Assembly announced the vote, and declared that the Hon. Charles N. Felton having received a majority of all the votes cast by the members of both Houses of the Legislature present, and voting in Joint Assembly, was duly declared elected to represent the

State of California in the Senate of the United States, to fill the unexpired term caused by the death of Senator George Hearst.

READING OF THE MINUTES.

The minutes of the Joint Assembly were read and approved.

Whereupon, at twelve o'clock and fifty minutes P. M., the President of the Senate announced that both Houses, having performed their duties regarding the election of a United States Senator, are now dissolved.

J. B. REDDICK,
President of the Senate.
FRANK L. COOMBS,
Speaker of the Assembly.

REASSEMBLED.

The Senate, at twelve o'clock and fifty minutes P. M., reassembled.

President Reddick in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, McComas, Mead, Ostrom, Preston, Shippee, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

RECESS.

On motion of Senator Mead, the Senate, at twelve o'clock and fifty-two minutes P. M., took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, Denison, Dray, Flint, Goucher, Hamill, Harp, Heacock, Mahoney, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Welch, and Williams (Geo. H.).

Quorum present.

RESOLUTIONS.

By Senator Dray:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to pay the following bills as per vouchers:

Union Ice Company, for ice furnished	$37 50
Paris Laundry, for washing towels during the session	20 00
H. S. Crocker & Co., for one tin cash box	2 25
A. S. Hopkins & Bro., for one blanket to keep ice in	3 00

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Goucher:

Resolved by the Senate, the Assembly concurring, That the Legislature stand adjourned sine die, on Saturday, March 21, 1891, at twelve o'clock midnight.

The roll was called, and the resolution lost by the following vote:

AYES—Messrs. Campbell of Siskiyou, Goucher, Hamill, Harp, Heacock, Mead, Ostrom, Preston, and Welch—9.
NOES—Messrs. Bailey, Britt, Campbell of Solano, Carpenter, Dargie, De Long, Denison, Flint, Fraser, Mahoney, Simpson, Voorhies, and Williams (Geo. H.)—13.

By Senator Goucher:

Resolved, That every Senator may withdraw any bill or bills of which such Senator is the author; *provided*, that bills on the urgency file and those that are the subject of special order are excepted from the privilege conferred by this resolution.

Roll called, and resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Heacock, Hamill, Langford, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

MOTION.

Senator Fraser moved to take up Assembly messages.
So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 758—An Act making an appropriation for the deficiency in the appropriation for the pay of officers and clerks of the Assembly, for the twenty-ninth session of the Legislature.
Also: Senate Bill No. 44—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Senate Bill No. 44 ordered to enrollment.

RESOLUTION.

By Senator Dray:

Resolved, That Assembly Bills Nos. 216, 404, 561, 87, 671, 294, 669, 296, 633, 713, 723, 292, 293, 295, 493, 230, 588, 18, 691, 708, 611, 703, 730, 99, 208, 748, 671, 685, 235, 348, 455, 500, 501, 603, 512, 554, 583, 576, 586, substitute for 115, 78, 4, 758, 212, and 204 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times upon one day, and placed upon their passage.

Roll called, and resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, and Williams (Geo. H.)—28.
NOES—None.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 404—An Act making an appropriation for reimbursing the Japanese Government for moneys expended in the extradition of Calvin Pratt, a fugitive from the justice of this State, and to provide for transmitting the same to Japan.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, and Williams (Geo. H.)—27.
NOES—None.

Title read and approved.

Assembly Bill No. 216—An Act to determine that lands of this State are swamp and overflowed when returned as such by the United States Surveyor-General.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Campbell of Solano, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Heacock, Langford, Maher, Mahoney, McComas, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, and Williams (Geo. H.)—22.
NOES—None.

Title read and approved.

Assembly Bill No. 87 passed on file.

Assembly Bill No. 671—An Act to provide for funding the indebtedness of Levee District No. 6, of Sutter County, and to provide for the payment of such funded debt.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Harp, Heacock, Langford, Mahoney, McComas, Mead, Ostrom, Ragsdale, Shippee, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—24.
NOES—None.

Title read and approved.

Assembly Bills Nos. 294 and 669 passed on file.

Assembly Bill No. 296—An Act authorizing the Controller to charge the sum of three thousand three hundred and six dollars and seventy-two cents against the General Fund, to adjust a discrepancy existing between the books in his office and those of the office of the State Treasurer, because of payments of warrants from the General Fund which had been drawn against the State Drainage Construction Fund and Construction Fund of Drainage District No. 1.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Fraser, Heacock, Maher, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—23.
NOES—None.

Title read and approved.

RESOLUTION.

By Senator Maher:

Resolved, That Senate Bill No. 334 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times upon one day, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Fraser, Goucher, Heacock, Langford,

Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Streeter, Welch, and Williams (Geo. H.)—27.
NOES—None.

CASE OF URGENCY.

Substitute for Senate Bill No. 334—An Act to establish a State Board of Ramie Culture, and to provide for the expenses thereof, and to encourage the culture of the ramie plant.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, De Long, Denison, Dray, Fraser, Goucher, Hamill, Heacock, Langford, Maher, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Welch, and Williams (Geo. H.)—25.
NOES—None.

Title read and approved.

RESOLUTION.

By Senator Broderick:

Resolved, That a committee of three be appointed by the Chair, whose duty it shall be to examine the books of the State Librarian, and report to the Senate, as follows:
First—The name of each person employed in said library during the incumbency of the present Librarian.
Second—The number of months employed, and total amount of salary paid to each.
Third—The amount of money paid as salary monthly to each employé from the General Fund.
Fourth—The amount of money paid as salary monthly to each employé from the State Library Fund.
Fifth—The number, designation, and amount of salary authorized by law to be paid to employés of the State Library.
Sixth—The amount of salary, if any, paid to any employé of said library in excess of the amount authorized by law to be so paid.
Said committee is hereby instructed to report to the Senate the result of their investigation within twenty-four hours.

Adopted.

The President appointed as such committee Senators Broderick, McGowan, and Ostrom.

URGENCY CASE.

On motion of Senator Carpenter, Senate Bill No. 627 was taken up.

Senate Bill No. 627—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State, and to repeal section seven hundred and ninety-three of said Code, relating to the term of office of Notaries Public, approved March 19, 1889.

Bill read second time.

Amendment by Senator Carpenter:

Amend section one, line four, by inserting the following after the word "convenience:" "*provided*, Notaries Public in the City and County of San Francisco shall not exceed fifty, and in the county of Solano shall not exceed forty."

Adopted.

Bill ordered printed and engrossed as amended.

Assembly Bill No. 685—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, and two thousand

six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder.

Bill read second time.

Amendment by Senator Ostrom:

Amend by striking out of section five, line twenty-five, all after the word "Commissioner," in line twenty-five, down to and including line twenty-seven, subdivision five, page four, and inserting the following: "four dollars per day for all time that said Commissioner is necessarily engaged in the actual discharge of his duties as Road Commissioner."

Lost.

Amendment by Senator Campbell of Solano:

Amend by adding after the word "Commissioner:" "*provided*, that in counties which have provided for compensation to their Commissioners that this provision shall not apply."

Lost.

Amendment by Senator Ostrom:

Amend by striking out of section seven, line nine, the word "five," and inserting the following: "six."

Lost.

Amendment by Senator Fraser:

Amend section seven by adding: "*provided*, that the Board of Supervisors may, by ordinance, provide that any person may work out his road poll tax under the direction of the Road Commissioner, and all labor performed in lieu of the road poll tax herein levied shall be deducted from the contract price awarded by the Board of Supervisors at the rate of one dollar and fifty cents per day of eight hours each, upon the affidavit of the contractor that such labor was performed upon the public roads embraced within his district."

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Bailey, Dargie, Flint, Fraser, Langford, Mahoney, Ostrom, Preston, Ragsdale, Sprague, and Williams (Geo. H.)—11.

NOES—Messrs. Banks, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Hamill, Harp, Heacock, McComas, McGowan, Simpson, and Streeter—18.

Amendment by Senator Langford:

Amend by striking out of section six, line three, the word "must," and insert after the word "Supervisors" the words "may in their discretion."

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Bailey, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ragsdale, Seawell, and Sprague—16.

NOES—Messrs. Banks, Britt, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Ostrom, and Simpson—10.

Bill ordered to printer.

MOTIONS.

Senator De Long moved that the Senate now reconsider its action ordering Assembly Bill No. 685 to printer.

Motion carried.

Senator Carpenter moved that further consideration of the bill be made a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

Senator De Long moved that the rules be suspended, and the Senate now consider Assembly Bill No. 561.

So ordered.

Assembly Bill No. 561—An Act making appropriations for the support of the government of the State of California for the forty-third and forty-fourth fiscal years.

CALL OF THE SENATE.

Senator W. H. Williams moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denson, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.).

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 19, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 699—An Act to provide a salary for the Keeper of the Archives, in the office of the Secretary of State, for the balance of the forty-second fiscal year.

Also: Senate Bill No. 432—An Act fixing a bounty on coyote scalps.

Also: Senate Joint Resolution No. 27—Relative to surveying and establishing the eastern boundary line of the State of California.

RAGSDALE, Chairman.

MOTION.

Senator De Long moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

ASSEMBLY BILL No. 561—(RESUMED).

Amendment by Senator De Long:

Amend by striking out of section one, line sixty-eight, the word "deputy" and insert the following: "deputies;" also, strike out in same line, the words "four thousand eight hundred" and insert "fourteen thousand four hundred" in lieu thereof.

Adopted.

Senator De Long moved to temporarily postpone further consideration of the bill.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Senator Goucher:

Resolved, That Senate Bill No. 703 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—None.

Senate Bill No. 703—An Act to increase the number of Judges of the Superior Court of the county of Fresno, State of California, and for the appointment of an additional Judge of such Court in said county, and to provide for the payment of salary therefor.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Ragsdale, Seawell, Shippee, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

Title read and approved.

MOTIONS.

Senator Hamill moved that the Senate now adjourn.

Senator De Long moved to amend, that the Senate take a recess until seven o'clock and thirty minutes this evening.

The roll was called on the amendment, with the following result:

AYES—Messrs. Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Goucher, Langford, Maher, Mahoney, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, and Simpson—16.
NOES—Messrs. Bailey, Banks, Byrnes, Crandall, Dargie, Denison, Dray, Fraser, Hamill, Harp, Heacock, McComas, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.)—16.

The vote on roll call being a tie, the President exercised his constitutional privilege, and voted in the negative.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 19, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 399—An Act to amend section one thousand and ninety-four of "An Act to establish a Political Code," approved March 20, 1889, relating to elections.

Also: Senate Bill No. 702—An Act for the relief of Col. Stevenson, and to appropriate money therefor.

Also: Substitute for Senate Bill No. 334—An Act to establish a State Board of Ramie Culture, and to provide for the expenses thereof, and to encourage the culture of the ramie plant.

RAGSDALE, Chairman.

MOTION TO RECONSIDER.

Senator Preston moved that the Senate now reconsider the vote by which Assembly Bill No. 212 was passed on yesterday.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Bailey, Crandall, De Long, Dray, McComas, McGowan, Ostrom, Shippee, and Streeter—9.
NOES—Messrs. Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, Denison, Everett, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mead, Seawell, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—21.

RESOLUTION—(OUT OF ORDER).

By Senator Broderick:

Resolved, That the Senate and Assembly concurring, the Governor be and he is hereby requested and authorized to forward to each member of the Legislature, after adjournment, two bound volumes of the past and present State Engineer's reports, with the accompanying maps.

Resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Flint, Fraser, Hamill, Langford, Maher, McComas, McGowan, Mead, Ostrom, Ragsdale, Williams (Wm. H.), and Williams (Geo. H.)—22.

NOES—Messrs. Britt, Preston, Seawell, Sprague, and Welch—5.

ADJOURNMENT.

At five o'clock and five minutes P. M., on motion of Senator Broderick, the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, March 20, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator Heacock moved that further reading of the Journal be dispensed with.

So ordered.

MOTION.

On motion of Senator Heacock, and by unanimous consent, Senate Constitutional Amendment No. 8 was taken up for consideration.

Senate Constitutional Amendment No. 8—To propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article seven thereof, relative to the pardoning power.

Senator Heacock moved to amend, as follows:

After the word "prison," in line two, insert the words "at San Quentin."

Adopted.

SENATE CONSTITUTIONAL AMENDMENT No. 8.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article seven thereof, relative to the pardoning power.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the fifth day of January, A. D. eighteen hundred and ninety-one, two thirds of all the members of each House concurring, hereby propose that section one, of article eight, of the Constitution of the State, be amended so as to read as follows:

SECTION 1. The Governor, Secretary of State, Controller, Attorney-General, and Warden of the State Prison at San Quentin shall constitute a Board of Pardons. Such Board, a majority thereof concurring, shall have the power to grant reprieves, pardons, and commutations of sentence, after conviction, for all offenses except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as the Board may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Upon conviction of treason, the Board shall have power to suspend the execution of the sentence until the case shall be reported to the Legislature at its next session, when the Legislature shall either pardon, direct the execution of the sentence, or grant a further reprieve. The Board shall communicate to the Legislature, at the beginning of every session, every case of reprieve or pardon granted, stating the name of the convict, the crime of which he has been convicted, the sentence, its date, the date of the pardon or reprieve, and the reasons for granting the same. Neither the Board nor the Legislature shall have power to grant pardons or commutations of sentence in any case when the convict has been twice convicted of felony, unless upon the written recommendation of a majority of the Judges of the Supreme Court, nor shall any pardon or commutations of sentence be granted within six months before the expiration of the term of office of the majority of said Board.

The roll was called, and the constitutional amendment, as amended, was adopted by the following vote:

AYES—Messrs. Banks, Broderick, Campbell of Solano, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, and Williams (Geo. H.)—29.

NOES—None.

TO STRIKE FROM THE FILE.

SENATE CHAMBER, SACRAMENTO, March 19, 1891.

Hon. FRANK J. BRANDON, *Secretary:*

DEAR SIR: Under resolution adopted to-day, I ask that the following bills be stricken from the files, and considered withdrawn, to wit: Senate Bill No. 61 (No. 38 on file); Senate Bill No. 182 (No. 39 on file); Senate Bill No. 181 (No. 67 on file); Senate Bill No. 183 (No. 68 on file); Senate Bill No. 184 (No. 69 on file); Senate Bill No. 185 (No. 70 on file).

Very truly,

G. G. GOUCHER,
Senator Thirty-fourth District.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 19, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bill has been correctly engrossed:

Senate Bill No. 703—An Act to increase the number of Judges of the Superior Court of the county of Fresno, State of California, and for the appointment of an additional Judge of such Court in said county, and to provide for the payment of salary therefor.

RAGSDALE, Chairman.

On motion of Senator Preston, Senate Constitutional Amendment No. 19 was taken up for consideration.

SENATE CONSTITUTIONAL AMENDMENT No. 19.

A resolution to propose to the people of the State of California an amendment to section three (3), of article eleven (11), of the Constitution of the State of California.

The Legislature of the State of California, at its twenty-ninth session, commencing on the fifth day of January, Anno Domini eighteen hundred and ninety-one, two thirds of all the members elected to each House of said Legislature voting in favor thereof, hereby propose that section three (3), of article eleven (11), of the Constitution of the State of California, be amended so as to read as follows:

SECTION 3. No new county shall be created out of any existing county or counties of this State by special Act of the Legislature; but the Legislature shall provide, by law, a method whereby new counties may be created by direct vote of the people.

No new county shall be established which shall reduce any county to a population of less than eight thousand; nor shall a new county be formed containing a less population than five thousand; nor shall any line thereof pass within five miles of the county seat of any county proposed to be divided. Every county which shall be enlarged or created from territory taken from any other county or counties shall be liable for a just proportion of the existing debts and liabilities of the county or counties from which such territory shall be taken.

Senate Constitutional Amendment No. 19 read, and on roll call adopted by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, and Williams (Geo. H.)—27.

NOES—Messrs. Campbell of Solano, Mahoney, and Seawell—3.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 19, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 238—An Act to amend sections seven hundred and ninety-nine and eight hundred of the Penal Code, relating to the limitation of time within which prosecution for murder, the embezzlement of public moneys, and the falsifications of public records must be commenced, and providing the time within which informations may be filed, or indictments found, for other felonies.

Also: Senate Bill No. 395—An Act to provide for the payment of the claim of A. B. Dibble for professional services performed by him in the case of the People, respondent, vs. O. P. Dobbins, appellant, No. 12,106, Department One of the Supreme Court, August 30, 1887.

Also: Senate Bill No. 414—An Act entitled an Act to amend section four hundred and seventy-five of the Political Code, providing for clerks and a phonographic reporter in the office of the Attorney-General, and fixing their salaries.

Also: Senate Bill No. 252—An Act for the relief of the heirs of Michael Curran, deceased.

Also: Senate Bill No. 76—An Act to amend section eleven hundred and eighty-one of the Civil Code of the State of California, as amended April 3, 1880, relating to the proof and acknowledgment of instruments.

Also: Senate Bill No. 42—An Act to amend an Act entitled "An Act to amend section three thousand four hundred and eighty-eight of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, and to make sections three thousand four hundred and forty-six, three thousand four hundred and forty-seven, three thousand four hundred and forty-nine, three thousand four hundred and fifty, three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-seven, three thousand four hundred and fifty-nine, three thousand four hundred and sixty, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-three, three thousand four hundred and sixty-five, three thousand four hundred and sixty-six, three thousand four hundred and sixty-seven, three thousand four hundred and sixty-eight, three thousand four hundred and seventy-one, three thousand four hundred and seventy-two, and three thousand four hundred and seventy-three of said Political Code, relating to the reclamation of certain lands within certain municipalities," approved March 19, 1889.

Also: Senate Bill No. 652—An Act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now

resident of this State, and fixing penalties and punishments for violation of this Act, and providing for deportation of criminals.

Also: Senate Bill No. 617—An Act to provide for the payment of funded indebtedness of the State of California, and to contract a funded debt for that purpose.

Also: Senate Bill No. 688—An Act to authorize the Directors of the Veterans' Home Association to exchange certain lands in the City and County of San Francisco for certain other property belonging to said city and county, or for a lease of said property.

Also: Senate Bill No. 255—An Act to amend section five hundred and ninety-eight of the Civil Code of the State of California, relating to benevolent and religious corporations.

Also: Senate Bill No. 71—An Act prescribing the competency and for the protection of witnesses testifying as to crimes against the elective franchise, to be added as a new section under title four of the Penal Code of the State of California, and to constitute section sixty-four of said Penal Code.

Also: Senate Bill No. 530—An Act to provide for payment for private property heretofore taken for public use.

Also: Senate Bill No. 609—An Act to amend section six hundred and eight of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to cemetery corporations.

Also: Senate Bill No. 305—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the laws for the preservation of fish, for the thirty-ninth, fortieth, and forty-first fiscal years.

Also: Senate Bill No. 60—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Also: Senate Bill No. 479—An Act to provide for the establishment of High Schools in the State of California.

Also: Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section eight of article eleven thereof, relative to the framing and adoption of charters by cities containing more than thirty-five hundred inhabitants.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

MOTION.

On motion of Senator Ostrom, the further consideration of Assembly Bill No. 685 was taken up.

SPECIAL ORDER.

Assembly Bill No. 685—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder.

Senator Ostrom moved that the Senate do now reconsider the vote by which the amendment by Senator Langford was adopted on yesterday.

So ordered.

The question was then stated, "Shall the amendment be adopted?" and the amendment was rejected.

Amendment by Senator Fraser:

Amend section seven by adding thereto the following: "*provided*, that the Board of Supervisors may, by ordinance, provide that any person liable to pay the road poll tax herein provided for, may work out his road poll tax under the direction of the contractor of the road district within which he resides, at the rate of one dollar and fifty cents per day, of eight hours each. And all labor performed upon the public roads in lieu of said road poll tax shall be deducted from the contract price let for such district."

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Dargie, Fraser, Harp, Langford, Maher, McGowan, Mead, and Preston—8.

NOES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Heacock, Mahoney, McComas, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, and Williams (Wm. H.)—21.

Senator Langford moved that the enacting clause be stricken out.

Senator Carpenter moved to indefinitely postpone the motion to strike out the enacting clause.

The ayes and noes were demanded by Senators Carpenter, Langford, and Hamill.

Pending a roll call, Senator De Long moved as a substitute that the bill be considered engrossed as amended, and read third time.

So ordered.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Goucher, Hamill, Heacock, Langford, Maher, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—26.
NOES—Messrs. Fraser and Harp—2.

Title read and approved.

Senator Langford gave notice that on to-morrow he would move to reconsider the vote by which Assembly Bill No. 685 was finally passed.

Senator Wm. H. Williams asked that Assembly Bill No. 758 be taken up.

So ordered.

SPECIAL URGENCY CASE.

Assembly Bill No. 758—An Act making an appropriation to provide for the deficiency in the appropriation for the pay of officers and clerks of the Assembly for the twenty-ninth session of the Legislature.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Hamill, Harp, Heacock, Langford, Maher, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—26.
NOES—None.

Title read and approved.

Bill ordered immediately transmitted to the Assembly.

MOTION.

Senator Preston moved that the Senate now take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 759—An Act to appropriate the sum of five thousand dollars for the benefit of the sufferers from the Tia Juana flood of the twenty-second of February, 1891, and to provide for its payment.

Also: Senate Bill No. 701—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate, twenty-ninth session.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 371—An Act to provide for the erection and furnishing of a Superintendent's residence, for the purchase of laundry machinery, for reflooring the Female Asylum Building, and for the permanent improvement of the walks and driveways on the grounds of the State Asylum for the Insane at Stockton, and to appropriate money therefor.

Also: Assembly Bill No. 555—An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 19, 1891.

MR. PRESIDENT: Your Committee of Free Conference concerning Assembly Bill No. 235, report that we have met a like committee of the Assembly, consisting of Assemblymen Shanahan, Baughman, and Bryant, and we report that the Free Conference Committee agreed upon and recommend that the following be adopted as a substitute for all after the enacting clause of said bill:

SECTION 1. The Governor and Surveyor-General are hereby authorized and directed to convey, release, quitclaim, and confirm all right, title, and interest of the State of California of, in, and to all that portion of the southeast quarter of section nineteen, township eleven north, range seven (7) east, Mount Diablo meridian, which is not embraced within the exterior boundaries of the lands set apart and heretofore conveyed by the State of California to the Masons and Odd Fellows of Rocklin, Placer County, California, for cemetery purposes, to the respective claimants and occupants thereof, as shown by the official map and field notes of survey of said lands, made by W. S. Graham, County Surveyor of Placer County, California, now on file in the office of the Recorder of Placer County, upon making and filing with the Surveyor-General proof, by affidavit, setting forth that the applicant was, at the date of said survey, in possession of the portion of said land claimed by him, her, or them, or an actual settler thereon, and upon the payment into the State Treasury of the sum of five dollars per acre or fraction thereof, as shown by said survey and field notes; *provided*, that the present occupants and claimants shall be preferred purchasers of the respective lots and parcels of said lands claimed and occupied by them for the space of one year from the passage of this Act; *and provided further*, that all rights of way for all roads, railroads, tracks, and spurs now existing upon or over said lands shall be excepted from the title hereby authorized to be conveyed.

Senator Seawell moved the adoption of the report of Free Conference Committee on Assembly Bill No. 235.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Carpenter, De Long, Denison, Dray, Fraser, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—None.

LEAVE OF ABSENCE.

On motion of Senator Britt, Senator Welch was granted indefinite leave of absence.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted the following resolution:

Resolved, That the Senate be respectfully requested to return to the Assembly the concurrent resolution relative to the adjournment of the Legislature sine die.

Also: On this day passed Substitute for Assembly Bill No. 336—An Act to provide for the division of existing counties, and for the creation and organization of new counties and names therefor; to determine the location of county seat by an election; to declare the manner of providing officers; to provide for the support of such new counties by the issuance of bonds; and to determine what portion of old county debt is chargeable to such new county.

Also: Substitute for Senate Bill No. 624—An Act appropriating money for the maintenance and support of the Sacramento Foundling Home.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

On motion of Senator Preston, Assembly Bill No. 336 was made a special order for three o'clock and thirty minutes this afternoon, and to take precedence over all other special orders.

On motion, the concurrent resolution relative to adjourning sine die was returned to the Assembly.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 507—An Act to prevent destruction by fire of property of contiguous owners.

Also: Senate Bill No. 600—An Act making an appropriation for additional improvements for the Southern California State Hospital for the Insane.

Also: Senate Bill No. 695—An Act for the relief of A. J. Bourn, for personal injuries received by him while in the service of the State.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Assembly Bill No. 507 ordered on file.

Senate Bills Nos. 695 and 600 ordered to enrollment.

MOTION.

On motion of Senator De Long, Assembly Bill No. 561 was taken up.

Assembly Bill No. 561—An Act making appropriations for the support of the government of the State of California for the forty-third and forty-fourth fiscal years.

AMENDMENTS—(RESUMED).

By Senator Crandall:

For aid to District Agricultural Society number one, five thousand dollars.
For aid to District Agricultural Society number two, five thousand dollars.
For aid to District Agricultural Society number three, five thousand dollars.
For aid to District Agricultural Society number four, five thousand dollars.
For aid to District Agricultural Society number five, five thousand dollars.
For aid to District Agricultural Society number six, five thousand dollars.
For aid to District Agricultural Society number seven, three thousand dollars.
For aid to District Agricultural Society number eight, two thousand dollars.
For aid to District Agricultural Society number nine, four thousand dollars.
For aid to District Agricultural Society number ten, three thousand dollars.
For aid to District Agricultural Society number eleven, two thousand dollars.
For aid to District Agricultural Society number twelve, four thousand dollars.
For aid to District Agricultural Society number thirteen, five thousand dollars.
For aid to District Agricultural Society number fourteen, two thousand five hundred dollars.
For aid to District Agricultural Society number fifteen, four thousand five hundred dollars.
For aid to District Agricultural Society number sixteen, three thousand five hundred dollars.
For aid to District Agricultural Society number seventeen, two thousand five hundred dollars.
For aid to District Agricultural Society number eighteen, two thousand dollars.
For aid to District Agricultural Society number nineteen, three thousand dollars.
For aid to District Agricultural Society number twenty, three thousand dollars.
For aid to District Agricultural Society number twenty-one, four thousand dollars.
For aid to District Agricultural Society number twenty-two, four thousand dollars.
For aid to District Agricultural Society number twenty-three, three thousand five hundred dollars.
For aid to District Agricultural Society number twenty-four, two thousand five hundred dollars.
For aid to District Agricultural Society number twenty-five, three thousand five hundred dollars.

For aid to District Agricultural Society number twenty-six, three thousand dollars.
For aid to District Agricultural Society number twenty-seven, two thousand five hundred dollars.
For aid to District Agricultural Society number twenty-eight, four thousand dollars.
For aid to District Agricultural Society number twenty-nine, two thousand dollars.
For aid to District Agricultural Society number thirty, three thousand dollars.
For aid to District Agricultural Society number thirty-one, three thousand dollars.
For aid to District Agricultural Society number thirty-two, three thousand dollars.
For aid to District Agricultural Society number thirty-three, two thousand five hundred dollars.
For aid to District Agricultural Society number thirty-four, two thousand five hundred dollars.
For aid to District Agricultural Society number thirty-five, five thousand dollars.
For aid to District Agricultural Society number thirty-six, four thousand dollars.
For aid to District Agricultural Society number thirty-seven, three thousand dollars; *provided*, that no moneys appropriated for agricultural societies shall be drawn, paid, or used for racing or speed contests.
For aid to District Agricultural Society number thirty-eight, three thousand five hundred dollars.

The roll was called, and the amendments rejected by the following vote:

AYES—Messrs. Bailey, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Hamill, Heacock, McComas, Ostrom, Ragsdale, Williams (Wm. H.), and Williams (Geo. H.)—12.

NOES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Harp, Langford, Maher, McGowan, Mead, Preston, Seawell, and Streeter—20.

By Senator Dray:

Amend by inserting after line two hundred and sixty-six, the words "the sum of one thousand five hundred dollars is hereby appropriated, to be expended by the State Board of Examiners, to pay deficiencies that may arise in any of the departments of the State government, not to exceed one hundred dollars, against any of the appropriations provided for in this Act."

Adopted.

Also: Amend by striking out of line two hundred and fourteen the word "fifty" and insert the word "forty."

Adopted.

By Senator Harp:

Amend by adding to section one, line two hundred and sixty-one, the words: "For aid to District Agricultural Society number thirty-eight, four thousand dollars."

Adopted.

By Senator De Long:

After line one hundred and twenty, section one, page five, of printed bill, insert the following: "For pay of employés and for stock and material for State School Text-Book Department, forty thousand dollars; exempt from the provision of section four of this Act." Also, insert after line one hundred and twenty, and following the last amendment, the following: "For compiling of State school text-books, five thousand dollars."

Adopted.

Also: In line one hundred and thirty-nine, section one, page five, of printed bill, strike out the words "one thousand" and insert the words "five hundred."

Adopted.

By Senator Campbell of Siskiyou:

Amend by striking out of section one, lines one hundred and ten and one hundred and eleven, on page four.

Lost.

On motion of Senator De Long, Assembly Bill No. 561 was ordered to printer.

CORRECTION OF JOURNAL.

Senator Seawell moved that the Journal of this House be so amended to show that the Conference Committee heretofore appointed on Assembly Bill No. 235, reported that they could not agree with the Assembly Conference Committee on said bill, and that they were reappointed a Committee on Free Conference concerning Assembly Bill No. 235.

So ordered.

MOTION.

On motion of Senator Carpenter, Senate Bill No. 531 was taken up.

Senate Bill No. 531—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Byrnes, Campbell of Solano, Campbell of Siskiyou, Dargie, Denison, Dray, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ragsdale, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—22.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Mead:

Resolved, That Senate Bill No. 702 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

On roll call, the resolution was adopted by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Dargie, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Shippee, Simpson, Sprague, Streeter, and Williams (Wm. H.)—27.

NOES—None.

Senate Bill No. 702—An Act for the relief of Colonel Jonathan D. Stevenson, and to appropriate money therefor.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Dargie, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Shippee, Simpson, Sprague, Streeter, and Williams (Geo. H.)—28.

NOES—None.

Title read and approved.

On motion of Senator Dray, Assembly Bill No. 115 was ordered placed at the head of the special Assembly file.

Senator Flint asked permission to withdraw substitute for Senate Bill No. 340 and have Assembly Bill No. 633 substituted on file therefor.

Permission granted.

Assembly Bill No. 633—An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, and six hundred and forty-seven of title sixteen, of part four, division first, of the Civil Code, providing for the formation and government of mutual building and loan associations, and to add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations.

Bill read third time, and finally passed by the following vote:

Ayes—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Shippee, Simpson, Sprague, Streeter, and Williams (Geo. H.)—27.

Noes—Mr. Ragsdale—1.

Title read and approved.

Senate Bill No. 435—An Act to amend section thirty-five of an Act entitled "An Act to repeal the Act passed March 26, 1851, entitled 'An Act to incorporate the city of Sacramento,' and the several Acts amendatory and supplemental thereto, and to incorporate the city and county of Sacramento," approved April 24, 1853.

Bill read third time, and refused final passage by the following vote:

Ayes—Messrs. Flint, Hamill, Harp, Maher, McComas, Sprague, and Williams (Wm. H.)—7.

Noes—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Carpenter, Crandall, Denison, Dray, Everett, Fraser, Goucher, Heacock, Langford, McGowan, Mead, Ostrom, Shippee, Simpson, and Streeter—20.

Senate Bill No. 689—An Act to appropriate the sum of six thousand one hundred and forty-four dollars, to pay the claim of S. V. Treadway and David Kettleman, assignees of Mary Treadway, Sarah E. Trotter, Richard Trotter, Mary J. Furber, and Elbridge G. Furber, for money illegally paid the State of California.

Bill read second time.

The following committee amendments were submitted:

Amend by striking out of section one the word "six," and insert in lieu thereof the word "one." Also, in line two, by striking out the words "one" and "forty-four" and insert in lieu thereof the words "two" and "eighty."

Adopted.

Also: Amend title by striking out of line two the words "six thousand one," and insert in lieu thereof the words "one thousand two."

Adopted.

Also: By striking out of line three of said title the word "forty-four" and insert in lieu thereof the word "eighty."

Adopted.

Bill ordered engrossed and printed as amended, and on file for third reading.

On motion of Senator Heacock, Senate Bill No. 693 was taken up.

Senate Bill No. 693—An Act ceding to the United States of America jurisdiction over the Post Office site in San Francisco.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Everett, Fraser, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Shippee, Simpson, Sprague, Streeter, and Williams (Geo. H.)—25.

NOES—Mr. Hamill—1.

Title read and approved.

RECESS.

At twelve o'clock and thirty minutes P. M. the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, McComas, McGowan, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

SPECIAL FILE OF ASSEMBLY BILLS.

On motion of Senator Streeter, Assembly Bill No. 230 was taken up.

Assembly Bill No. 230—An Act to amend section one hundred and fifty-eight of the Code of Civil Procedure of the State of California, relating to the residence of Judges of the Superior Court.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Flint, Fraser, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Preston, Seawell, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—None.

Title read and approved.

Assembly Bill No. 703—An Act to amend section two thousand four hundred and sixty-eight of the Political Code, relating to pilotage.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, Ostrom, Preston, Seawell, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—Messrs. Bailey and Crandall—2.

Title read and approved.

Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand and under

one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885.

Bill read first and second times.

Amendments by Senator Dray:

Amend by striking out of section six, line two, the words "one hundred" and inserting the following: "fifty."

Adopted.

Also: Amend the title by adding after the figures "1885," in the last line of the title, the following: "And to provide for Clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants."

Adopted.

Bill ordered printed as amended, and on file for third reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 20, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Constitutional Amendment No. 8—To propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article seven thereof, relative to the pardoning power.

Also: Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California.

Also: Senate Bill No. 531—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Also: Senate Bill No. 627—An Act amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State, and to repeal section seven hundred and ninety-three of said Code, relating to the term of office of Notaries Public, approved March 16, 1889.

HAMILL, of Committee.

SPECIAL FILE OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 561 passed on file.

Assembly Bill No. 87—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand eight hundred, three thousand eight hundred and sixteen, and three thousand eight hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Flint, Fraser, Goucher, Heacock, Langford, McComas, McGowan, Mead, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, and Williams (Wm. H.)—24.
NOES—Messrs. Banks, Britt, Broderick, Everett, Hamill, Harp, Maher, Mahoney, and Preston—9.

Title read and approved.

Assembly Bill No. 294—An Act providing for the payment of all moneys in the State Treasury to the credit of Swamp Land District Funds, to the Treasurers of the counties wherein the said swamp land districts are situated, and to provide for the control of the same by the Auditor and Treasurer of said counties, and prescribing the duties of the Controller and Treasurer in relation thereto.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Campbell of Solano, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Langford, Maher, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Voorhies, and Williams (Wm. H.)—26.
NOES—Messrs. Bailey, Mahoney, and McComas—3.

Title read and approved.

Assembly Bill No. 669—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relative to the powers of Boards of Supervisors.

Bill passed on file.

Assembly Bill No. 713—An Act making an appropriation to pay the deficiency in the appropriation for the Attorney-General for the forty-second fiscal year, for costs and expenses of suits wherein the State is a party in interest.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, and Williams (Wm. H.)—31.
NOES—None.

Title read and approved.

Assembly Bill No. 723—An Act making an appropriation to pay the deficiency in the appropriation for expenses that may be incurred by the Attorney-General, for the forty-second fiscal year, in suits in the United States Courts.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Fraser, Goucher, Hamill, Harp, Heacock, Maher, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, and Williams (Wm. H.)—27.
NOES—None.

Title read and approved.

Assembly Bill No. 292—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the State Drainage Construction Fund, and also from time to time to transfer to

the General Fund all moneys that may hereafter be paid into the State Drainage Construction Fund.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Flint, Fraser, Goucher, Harp, Heacock, Maher, McComas, McGowan, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

Title read and approved.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 20, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 579—An Act for the relief of Emma Kelly, widow of G. H. Kelly, and appropriating seven thousand five hundred dollars therefor.

Also: Senate Bill No. 690—An Act to add a new section, to be known as section six hundred and eighty-four of the Political Code, in regard to the appointment of and fixing the salary of an assistant to the Secretary of the State Board of Examiners, and to appropriate money for the payment of his salary.

Also: Senate Bill No. 304—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year.

Also: Senate Bill No. 9—An Act making an appropriation for the payment of the repairs upon the quarantine launch "Governor Perkins."

Also: Senate Bill No. 44—An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor.

Also: Senate Bill No. 88—An Act to pay the claim of James W. Rankin, for services in the office of the State Treasurer of California, and appropriate money therefor.

Also: Senate Bill No. 172—An Act to appropriate the sum of four hundred and fifty-eight dollars and fifty-five cents, to pay the claim of William H. Murphy, for money illegally paid the State of California.

Also: Senate Bill No. 590—An Act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages.

Also: Senate Bill No. 599—An Act entitled an Act relating to the working, rights of way, easement, and drainage of mines in the State of California.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 19, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That all Committee Clerks of this Senate, with the exception of one clerk for the Judiciary Committee, and one clerk for the Committee on Finance, be and the same are discharged from this date, March 14, 1891.

Have had the same under consideration, and respectfully report the same back, and recommend that it be amended so as to read as follows:

Resolved, That the services of all Committee Clerks of the Senate, with the exception of the clerks for the Judiciary Committee, the Committee on Attachés, Contingent Expenses, and Mileage, and the Clerk of the Committee on Finance, be dispensed with after March 21, 1891.

And that as so amended it be adopted.

BYRNES, Chairman.

Report of committee adopted.

MOTION.

Senator Preston moved that the Senate now take up special order set for this hour, three o'clock and thirty minutes P. M.

So ordered.

SPECIAL ORDER.

Substitute for Assembly Bill No. 336—An Act supplementary to an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, A. D. 1883, and being in relation to the organization of new counties and the classification thereof.

Bill read first time, and made a special order for to-morrow, at ten o'clock and thirty minutes A. M.

SPECIAL URGENCY FILE.

Senate Bill No. 258 passed on file.

Senate Bill No. 666—An Act to amend section five of an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor," approved February 26, 1885.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Heacock, Langford, Maher, Mahoney, Ostrom, Seawell, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—None.

Title read and approved.

President pro tem. Fraser in the chair.

On motion of Senator Voorhies, Assembly Bill No. 36 was ordered placed on Assembly file.

Assembly Bill No. 586—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections eighteen, twenty-four, twenty-five, and twenty-six thereof, relating to the assessment of property and the collection of such assessments.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Heacock, Mahoney, Ostrom, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—None.

Title read and approved.

Senate Bill No. 605—An Act to provide pensions for teachers of the public schools of the State of California.

Bill read third time, and refused final passage by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Carpenter, Denison, Dray, Everett, Goucher, Hamill, Mahoney, McComas, Mead, Streeter, and Williams (Geo. H.)—14.

NOES—Messrs. Bailey, Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Flint, Fraser, Harp, Heacock, McGowan, Ostrom, Preston, Ragsdale, Shippee, Simpson, Voorhies, and Williams (Wm. H.)—18.

Senate Bill No. 243—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Preston, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—26.
NOES—Messrs. Goucher, Ostrom, and Shippee—3.

Title read and approved.

RESOLUTION.

By Senator McComas:

Resolved, That George A. Beecher be allowed two dollars and fifty cents per night from March 3, 1891, to the final adjournment of the twenty-ninth session of the Senate, for lighting and attending to the gas in the Senate Chamber. The Controller is hereby authorized to draw his warrant for the same, and the Treasurer is hereby authorized to pay the same out of the appropriation for the contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

URGENCY CASES—(RESUMED).

Assembly Bill No. 576—An Act to amend sections one thousand five hundred and seventy-seven, one thousand five hundred and seventy-eight, and one thousand five hundred and seventy-nine of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Everett, Fraser, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McGowan, Preston, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—24.
NOES—None.

Title read and approved.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 20, 1891.

MR. PRESIDENT: Your committee, appointed on Thursday, March 19, 1891, to examine the books of the State Librarian, do most respectfully submit the following report:

We have examined the books, and find them to be kept in good condition. The following is a list of names of the employés, the time employed, the amount of salary paid, and from which fund the same was paid out:

EMPLOYÉS.	Months Employed.	Total amount of Salary.	Monthly Salary from General Fund.	Monthly salary from Library Fund.
W. S. Leake	10 4/5	$2,168 50		$200 00
Genevieve Green	10 4/5	1,620 00	$150 00	
G. T. Clark	10 4/5	1,620 00		150 00
M. E. Southworth	8 7/30	986 45		100 00
Jas. Longshore	10 4/5	810 00	75 00	
Jane O'Hare	4 26/30	146 00		30 00
Marguerite Hogan	5 1/30	546 65		100 00
W. H. Hanlon	5 1/30	820 00	150 00	
Wm. Hanrahan	5 1/30	410 00	75 00	

That none of the said employés are paid any salary in excess of the amount authorized by law to be so paid.

There are at present employed in the State Library six employés, one of whom is only temporarily employed. The last three names on the above list were only employed five months, for the purpose of making an inventory of the books in the Library.

BRODERICK,
OSTROM,
McGOWAN,
Committee.

On motion of Senator Broderick, report of committee was adopted.

RESOLUTION—(OUT OF ORDER).

By Senator Britt:

Resolved, That the Secretary of the Senate be and he is hereby ordered to compile a complete and final history of Senate Bills, Senate Constitutional Amendments, and Senate Concurrent and Joint Resolutions of the twenty-ninth session of the Legislature, and that he be required to mail to each Assemblyman and Senator two copies of said final history; and further

Resolved, That the Controller be authorized and directed to draw his warrant in favor of the Secretary of the Senate, for the sum of three hundred dollars, payable out of the Contingent Fund of the Senate, such sum to include payment for compilation, mailing, and postage.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Senate Bill No. 270—An Act to amend section one thousand two hundred and forty-six of the Penal Code, relating to the cost of appeals in criminal cases.

CALL OF THE SENATE.

Senator Goucher moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.).

Senator Goucher moved that further proceedings under the call of the Senate be dispensed with.

Ayes and noes demanded by Senators Goucher, Hamill, and Mead.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Campbell of Siskiyou, Carpenter, De Long, Dray, Flint, Hamill, McComas, McGowan, Mead, Preston, Ragsdale, Shippee, and Streeter—13.

NOES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Crandall, Denison, Everett, Fraser, Goucher, Harp, Maher, Mahoney, Ostrom, Seawell, Simpson, Williams (Wm. H.), and Williams (Geo. H.)—20.

The Sergeant-at-Arms appeared before the bar of the Senate with Senator Sprague under arrest.

Senator Heacock moved that further proceedings under the call be dispensed with.

Motion lost.

On motion of Senator Mead, Senator Sprague was excused.

Senator Hamill moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

RECESS.

On motion of Senator Mahoney, at five o'clock P. M. the Senate took a recess until seven o'clock and thirty minutes this evening.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

Senate Bill No. 270—An Act to amend section one thousand two hundred and forty-six of the Penal Code, relating to the cost of appeals in criminal cases.

Bill read third time.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Dray, Everett, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—Messrs. Bailey, Carpenter, Denison, Flint, Fraser, Goucher, McGowan, Shippee, Simpson, and Voorhies—10.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Crandall gave notice that on to-morrow he would move to reconsider the vote by which Senate Bill No. 270 was this day finally passed.

APPROVAL OF JOURNAL.

On motion of Senator Voorhies, the Journals of March ninth, tenth, eleventh, twelfth, thirteenth, and fourteenth were approved.

PRESENTATION TO OFFICERS OF THE SENATE.

Senator Goucher in the chair.

At the hour of seven o'clock and forty-five minutes P. M., the officers of the Senate were temporarily suspended.

Senator McGowan was called upon to preside, and Senator De Long was installed Sergeant-at-Arms.

Then followed the very pleasant ceremony of the session—the presentation of tokens of esteem by the members of the Senate and the receiving of them by the officers of the Senate, viz.: President J. B. Reddick, President pro tem. Thos. Fraser, Secretary F. J. Brandon, Sergeant-at-Arms Thos. Rodgers, Minute Clerk C. S. McMullan, Mrs. E. Tobias, Postmistress, and Assistant Postmistress Miss Agnes Vance. The presentation speeches were made in order, as follows: Senators Goucher, Mead, Britt, Ostrom, W. H. Williams, and Berry.

ADJOURNMENT.

At eight o'clock and forty-five minutes P. M. the Senate, on motion of Senator Geo. H. Williams, stood adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, March 21, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, Senator McComas moved that further reading be dispensed with.

So ordered.

On motion of Senator Maher, the Senate proceeded to consider Governor's messages.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 17, 1891.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 136 and 91.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 20, 1891.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 444, 130, 415, 566, 661, 134, 643, substitute for Senate Bills Nos. 352 and 499, substitute for Senate Bills Nos. 8, 57, 123, and 369, Senate Bills Nos. 255, 609, 305, 395, 414, 252, 479, 688, 71, 652, and 238.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 17, 1891.

To the Senate of the State of California:

I hereby nominate James W. B. Montgomery, of Butte County, to the position of Brigadier-General of the Fifth Brigade of the National Guard of California, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 17, 1891.

To the Senate of the State of California:

I hereby nominate William H. Dimond, of the City and County of San Francisco, to the office of Major-General of the National Guard of California, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Senator Ostrom moved that the Senate advise and consent to the appointment of Jas. W. B. Montgomery.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Heacock, Maher, McComas, Mead, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Sprague, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—None.

On motion of Senator Hamill, the Senate advised and consented to the appointment of Wm. H. Dimond by the following vote:

AYES—Messrs. Bailey, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—None.

MOTION.

On motion of Senator Maher, Assembly messages were taken up.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 90—An Act to amend an Act entitled "An Act to amend section six of an Act entitled 'An Act concerning the waterfront of the City and County of San Francisco,' approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners," approved March 17, 1880.

Also: Senate Bill No. 535—An Act to appropriate money to pay the claim of William Gutenberger, for the loss of tools and property destroyed at the Branch State Prison at Folsom.

Also: Passed, as amended, Senate Bill No. 696—An Act authorizing the Governor, Secretary of State, and the Attorney-General of the State of California, constituting the State Board of Examiners, to receive and receipt for, on behalf of the State of California, the moneys due the State from the United States Government, under an Act of Congress known as the "Direct Tax Bill," and authorizing the Governor, Secretary of State, and Attorney-General to execute, upon the part of the State of California, a release in full satisfaction of all claims against the United States on account of the levy and collection of the direct tax.

Also: Assembly Bill No. 195—An Act to appropriate ten thousand dollars for the purpose of sending an expert to Australia, New Zealand, and adjacent countries, to collect and import into this State parasites and predaceous insects.

Also: Assembly Bill No. 193—An Act to amend section six and to repeal section sixty-three of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to the appointment of receivers, and the care and disposition of the property of insolvent debtors during the pendency of insolvency proceedings, and before the election of an assignee.

Also: Concurred in Senate Concurrent Resolution No. 6—Relative to requesting the Governor to forward each member of the Legislature two bound volumes of the State Engineer's Reports.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Assembly amendments to Senate Bill No. 696:

Amend section one by inserting after the word "bill," in line five of said section, the following words: "approved March 2, 1891, and that the State of California hereby agrees to and does hereby accept the sum of money appropriated in said Act for the State of California, and the trusts imposed in said Act in full satisfaction of all claims of the State of California against the United States on account of the levy and collection of said tax mentioned in said Act of Congress."

Senator Heacock moved that the Senate concur in the Assembly amendment.

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Britt, Broderick, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Everett, Flint, Hamill, Harp, Heacock, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, and Williams (Wm. H.)—23.
NOES—None.

Assembly amendment number two:

Add to the end of section two the following: "and pay the same out to the persons entitled thereto under the provisions of said Act of Congress upon demands against said fund allowed and approved by the State Board of Examiners, and upon warrants issued by the State Controller therefor."

On motion of Senator De Long, the Senate refused to concur in Assembly amendment number two by the following vote:

AYES—None.
NOES—Messrs. Bailey, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—28.

Senator Campbell of Siskiyou moved that a special committee of conference be appointed to confer with a like committee from the Assembly to consider Assembly amendment number two.

So ordered.

The Chair appointed Senators Campbell of Siskiyou, De Long, and Hamill.

Senator Heacock asked permission to withdraw Senate Bill No. 698 and substitute Assembly Bill No. 195 therefor.

Granted.

RESOLUTION—(OUT OF ORDER).

By Senator Heacock:

Resolved, That Assembly Bill No. 195 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, McComas, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—Mr. Mahoney—1.

MOTION.

Senator Goucher moved that a special committee of three be appointed to make the following amendment to Assembly Bill No. 685:

Strike out of section five, subdivision six, line thirty-two, the word "Commission," and substitute therefor the word "Commissioners."

So ordered.

The Chair appointed Senators Goucher, Carpenter, and Heacock.

RESOLUTION—(OUT OF ORDER).

By Senator Denison:

Resolved, That the Minute Clerk and assistants be and hereby are each allowed the sum of one hundred dollars for work to be done after the final adjournment of this body, viz.: the rearranging, labeling, etc., of the original minutes, which are to be filed with the Secretary of State, the same payable out of the Contingent Fund of the Senate. The Controller is hereby directed and authorized to draw his warrants for the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Heacock: Senate Concurrent Resolution No. 7—

Resolved by the Senate, the Assembly concurring, That the Secretary of the Senate and the Clerk of the Assembly be and they are hereby directed to inform the Governor of the State of California of the election of Hon. Chas. N. Felton to the Senate of the United States, as United States Senator to Congress from the State of California for the unexpired term of the late Senator George Hearst.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Ostrom, Preston, Ragsdale, Seawell, Shippee, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—None.

On motion of Senator Preston, the special order set for ten o'clock and thirty minutes A. M. was taken up.

SPECIAL ORDER.

Substitute for Assembly Bill No. 336—An Act supplementary to an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, A. D. 1883, and being in relation to the organization of new counties and the classification thereof.

Bill read second time.

Amendments by Senator Heacock:

Amend by striking out of section three, the entire sentence commencing on line seven thereof, and inserting in lieu thereof: "*provided*, the question of the creation of a new county shall in no case be submitted to the electors of the same county or counties, or of any portion or portions of the same county or counties, oftener than once in two years."

Adopted.

Also: Amend after the word "county," in line thirty-two, page three, and insert: "and in one or more newspapers of general circulation, if such there be published within the limits of the old county or counties proposed to be divided, but not included within the limits of the new county."

Adopted.

Also: After the word "Board," in line thirty-four, page three, insert: "and at the polling places within the limits of the old county or counties proposed to be divided but not included within the limits of the new county."

Lost.

Also: After the word "elector," section four, line eight, page three, insert: "within the limits of the proposed new county."

Adopted.

Also: Strike out the words "within the territory embraced in said proposed new county," in line two, section five, and insert: "of the county or counties proposed to be divided."

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Berry, Carpenter, Crandall, De Long, Denison, Dray, Flint, Fraser, Heacock, Mahoney, Mead, Seawell, and Shippee—13.
NOES—Messrs. Bailey, Byrnes, Campbell of Solano, Campbell of Siskiyou, Everett, Goucher, Hamill, Harp, McComas, Ostrom, Preston, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—14.

On motion of Senator De Long, special orders were temporarily suspended, and Assembly Bill No. 561 was taken up.

Assembly Bill No. 561—An Act making appropriations for the support of the government of the State of California for the forty-third and forty-fourth fiscal years.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, and Williams (Wm. H.)—32.
NOES—Messrs. Mahoney, Ostrom, and Ragsdale—3.

Title read and approved.

REPORTS OF STANDING COMMITTEES.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 21, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Minute Clerk and assistants be and are hereby each allowed the sum of one hundred dollars for work to be done after the final adjournment of this body, viz.: the rearranging, labeling, etc., of the original minutes, which are to be filed with the Secretary of State, the same to be paid out of the Contingent Fund of the Senate. The Controller is hereby directed and authorized to draw his warrant for the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BYRNES, Chairman.

The resolution was lost by the following vote:

AYES—Messrs. Britt, Broderick, Byrnes, Denison, Everett, Flint, Hamill, Mahoney, Sprague, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—12.
NOES—Messrs. Bailey, Berry, Campbell of Siskiyou, Carpenter, Crandall, Dray, Fraser, Harp, Heacock, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, and Streeter—17.

Also:

SENATE CHAMBER, SACRAMENTO, March 20, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That George A. Beecher be allowed two dollars and fifty cents per night from March 3, 1891, to the final adjournment of the twenty-ninth session of the Senate, for lighting and attending to the gas in the Senate Chamber. The Controller is hereby authorized to draw his warrant for the same, and the Treasurer is hereby authorized to pay the same out of the appropriation for the contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BYRNES, Chairman.

The resolution was adopted by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Crandall, Denison, Dray, Everett, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Shippee, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—23.
NOES—None.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 21, 1891.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 90—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and forty-nine, relating to the quieting of title to real property—have had the same under consideration, and respectfully report the same back without recommendation.

SPRAGUE, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 20, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Secretary of the Senate be and he is hereby ordered to compile a complete and final history of Senate Bills, Senate Constitutional Amendments, and Senate Concurrent and Joint Resolutions of the twenty-ninth session of the Legislature, and that he be requested to mail to each Assemblyman and Senator two copies of said final history; and further

Resolved, That the Controller be authorized and directed to draw his warrant in favor of the Secretary of the Senate for the sum of three hundred dollars, payable out of the Contingent Fund of the Senate, and such sum to include payment for compilation, mailing, and postage.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BYRNES, Chairman.

AMENDMENTS.

The following amendments were submitted by Senator Heacock:

Strike out "Secretary" and insert "History Clerk, J. C. Medley."

Adopted.

Also: Strike out "three hundred dollars" and insert "fifty dollars."

Adopted.

The roll was called on the adoption of the report, and it was lost by the following vote:

AYES—Messrs. Bailey, Berry, Campbell of Solano, Carpenter, Crandall, Denison, Dray, Fraser, Harp, Heacock, McComas, Ostrom, Shippee, Simpson, and Voorhies—15.

NOES—Messrs. Britt, Broderick, Byrnes, Campbell of Siskiyou, Dargie, De Long, Everett, Flint, Goucher, Hamill, Maher, Mahoney, McGowan, Mead, Preston, Seawell, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—20.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, respectfully refused to concur in Senate amendments to Assembly Bill No. 561.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

MOTIONS.

On motion of Senator De Long, the hour of recess was extended ten minutes.

On motion of Senator De Long, the following Committee of Conference was appointed by the Chair to act with a like committee from the Assembly to consider Assembly Bill No. 561: Senators De Long, Crandall, Dray, Langford, and Hamill.

RECESS.

The Senate took a recess at twelve o'clock and forty minutes P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Everett, Flint, Fraser, Goucher, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

ADJOURNMENT.

Senator Everett moved that the Senate adjourn until Monday next, at ten o'clock A. M.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Berry, Byrnes, Campbell of Siskiyou, Carpenter, Denison, Everett, Flint, Goucher, Harp, Maher, Simpson, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—14.

NOES—Messrs. Crandall, Dray, Fraser, Hamill, Heacock, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, and Streeter—13.

Whereupon, the President, at two o'clock and five minutes P. M., declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, March 23, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Senator Preston, further reading was dispensed with.

MOTION TO RECONSIDER.

Senator Goucher moved that the vote be reconsidered by which Assembly Bill No. 685 was finally passed.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Dray, Everett, Fraser, Goucher, Harp, Heacock, Mahoney, McComas, McGowan, Mead, Preston, Seawell, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—None.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 21, 1891.

MR. PRESIDENT: Your committee to whom was referred Assembly Bill No. 685, which passed the Senate on March 20, 1891, and which bill now stands on notice of motion to reconsider, have considered the question submitted to us, viz.: the propriety or necessity of amending said bill by striking out the word "Commissioners," in line thirty-two, subdivision six, section five, on page five of the printed bill, and we are of opinion that the suggested amendment, to wit.: substituting "Commissioners" for "Commissioner," should be made, and the Chairman of this committee is hereby directed to offer said amendment, and your committee respectfully recommend its adoption by your honorable body.

Respectfully submitted.

GOUCHER, Chairman.

Report of committee adopted.

Senator Goucher moved that Assembly Bill No. 685 be referred to a special committee of one, consisting of Senator Heacock, to make the following amendment:

Amend by striking out of section five, subdivision six, line thirty-two of printed bill, the word "Commissioner" and inserting the following: "Commissioners."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 23, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Assembly Bill No. 685, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

HEACOCK, Committee.

Report of special committee adopted.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 21, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bill has been correctly engrossed:

Senate Bill No. 678—An Act to establish a uniform system of county and township governments.

RAGSDALE, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator McGowan:

Resolved by the Senate, the Assembly concurring, That the Legislature, in twenty-ninth session assembled, adjourn sine die Wednesday, March 25, 1891, at twelve o'clock P. M. of said day.

On motion of Senator Campbell of Solano, consideration of the resolution was postponed until two o'clock and ten minutes P. M., this day.

On motion of Senator Campbell of Solano, Senate Bill No. 678 was taken up.

SPECIAL ORDER.

Senate Bill No. 678—An Act to establish a uniform system of county and township governments.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Dray, Everett, Fraser, Goucher, Harp, Heacock, Mahoney, McComas, Mead, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—None.

Title read and approved.

Bill ordered immediately transmitted to the Assembly.

MOTION.

On motion of Senator Streeter, Assembly Bill No. 18 was taken up.

Assembly Bill No. 18—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof." approved March 18, 1885, and to make said Act as amended apply to cities having fifteen thousand and under twenty-five thousand inhabitants.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 702—An Act for the relief of Jonathan D. Stevenson, and to appropriate money therefor.

Also: Senate Bill No. 463—An Act to establish a naval battalion, to be attached to the National Guard of California.

Also: Concurred in Senate Concurrent Resolution No. 7—Relative to notifying the Governor of the election of Chas. N. Felton to the Senate of the United States.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 260—An Act to add a section to the Political Code, to be known as section two thousand nine hundred and eighty-three, relating to public asylums and hospitals.

Also: Passed substitute for Senate Bill No. 290—An Act to provide for the erection of additional buildings for the use of the State Normal School at San José, California, and making an appropriation therefor.

Also: Senate Bill No. 163—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

Also: Senate Bill No. 638—An Act to amend section seven hundred and thirty-seven of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts of the City and County of San Francisco, and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, Yolo, and Calaveras.

Also: Senate Bill No. 133—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote horticultural interests of the State,'" approved March 19, 1889.

Also: Senate Bill No. 126—An Act fixing the price at which jute goods shall be sold by the State, and providing the manner of sale thereof.

Also: Passed, as amended, Senate Bill No. 442—An Act to amend section three and section thirteen of an Act entitled "An Act to promote drainage."

Also: Adopted Senate Joint Resolution No. 27—Relative to surveying and establishing the eastern boundary line of the State of California.

Also: Concurred in Senate amendments to Assembly Bill No. 633.
And respectfully refused to concur in Senate amendments to Assembly Bill No. 87.
Also: Adopted report of Free Conference Committee on Assembly Bill No. 235.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Senator Goucher moved that the Senate concur in Assembly amendment to Senate Bill No. 442, as follows:

Amend the title by adding the words "approved March 18, 1885."

Amendment concurred in by the following vote:

AYES—Messrs. Banks, Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Dray, Everett, Fraser, Goucher, Harp, Heacock, Mahoney, McComas, Mead, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—26.
NOES—None.

Senate Bills Nos. 702, 463, substitute for Senate Bill No. 290, Senate Bills Nos. 163, 638, 133, and 126, ordered to enrollment.

Assembly Bill No. 260 ordered on file.

Senator Carpenter moved that a Conference Committee be appointed to confer with a like committee from the Assembly, relative to Assembly Bill No. 87.

So ordered.

The Chair appointed Senators Carpenter, Berry, and Crandall as such committee.

On motion of Senator Streeter, Assembly Bill No. 18 was considered.

Assembly Bill No. 18—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants."

Bill read first and second times.

Amendments by Senator Crandall:

Amend by striking out of section one, lines one and two, the word "twenty-five" and inserting the word "eighteen;" and by inserting in section two, after the word "Court," the following: "of any such city;" and by striking out section six, and renumbering the sections from section five.

Adopted.

Amend title by striking out the whole thereof and inserting the following: "An Act to provide for Police Courts in cities having fifteen thousand and under eighteen thousand inhabitants."

Adopted.

Bill ordered printed and engrossed as amended, and on file for third reading at three o'clock and thirty minutes P. M. this day.

RESOLUTION.

By Senator Campbell of Siskiyou:

SENATE CONCURRENT RESOLUTION No. 8.

Resolved by the Senate, the Assembly concurring, That the State of California does hereby accept the sum appropriated, and the trust imposed by an Act of Congress entitled "An Act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the Act of Congress," approved August 5, A. D. 1861, in full satisfaction of all claims against the United States,

on account of the levy and collection of said tax, and does hereby authorize the Governor to receive the said money for the use and purposes aforesaid.

Resolved, That his Excellency the Governor be requested to furnish the honorable the Secretary of the Treasury of the United States with a copy of these resolutions, duly certified and attested by the Secretary of State, under the great seal of the State of California.

On motion of Senator De Long, the resolution was made a special order for two o'clock and thirty minutes P. M. to-day.

CASES OF URGENCY—(RESUMED).

Senate Bills Nos. 536 and 199 passed on file.

Senate Bill No. 306—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the laws for the preservation of fish, for the forty-second fiscal year.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Carpenter, Crandall, De Long, Dray, Everett, Goucher, Harp, Heacock, Mead, Preston, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—21.

NOES—Mr. Campbell of Solano—1.

Title read and approved.

Senate Bill No. 685—An Act authorizing the State Board of Examiners to sell old furniture and all material belonging to the State and not required for public use.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Goucher, Harp, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—29.

NOES—None.

Title read and approved.

Senate Bill No. 680—An Act to amend section two thousand one hundred and thirty-seven of the Political Code, in relation to the powers and duties of the Board of Directors of the insane asylum located at Stockton.

Bill read first, second, and third times, and refused final passage by the following vote:

AYES—Messrs. Britt, De Long, Everett, Mahoney, Sprague, and Williams (Wm. H.)—6.

NOES—Messrs. Bailey, Berry, Broderick, Campbell of Siskiyou, Crandall, Dray, Flint, Fraser, Harp, Heacock, McComas, Mead, Preston, Simpson, and Voorhies—15.

RESOLUTION—(OUT OF ORDER).

By Senator Preston:

Resolved, That Senate Bill No. 484 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

REPORT OF COMMITTEE ON CONFERENCE.

SENATE CHAMBER, SACRAMENTO, March 23, 1891.

MR. PRESIDENT: Your Committee of Conference concerning Assembly Bill No. 561—An Act making appropriations for the support of the government of the State of California for the forty-third and forty-fourth fiscal years—report that we have met a like committee of the Assembly, consisting of Messrs. Dibble, Phillips, Hail, Shanahan, and Mathews, and we further report that the Conference Committee of the Senate and Assembly at said meeting agreed to recommend that the Assembly concur in the following Senate amendments to said bill, viz.:

The said following amendments of the Senate to said Assembly Bill No. 561 are enumerated and referred to as printed in the bill printed by the Assembly on the twenty-eighth day of February, A. D. eighteen hundred and ninety-one.

1. In lines thirteen and fourteen, section one, page one, of printed bill, strike out the words "two hundred and eighty-seven" and insert the words "two hundred and ninety-one."

2. In line twenty-eight, section one, page two, of printed bill, strike out the word "stenographer," and insert the words "phonographic reporter."

3. After line thirty-one, section one, page two, of printed bill, insert the following: "For postage and contingent expenses Supreme Court Commissioners, two hundred dollars."

5. In line thirty-seven, section one, page two, of printed bill, by inserting after the words "secret service" the following: "exempt from provisions of section six hundred and seventy-two of Political Code."

6. In line thirty-eight, section one, page two, of printed bill, strike out the word "and" and insert after the word "telegraphing" the following: "and contingent expenses."

7. In line thirty-nine, section one, page two, of printed bill, strike out the words "three thousand six" and insert the words "four thousand eight."

8. In line forty, section one, page two, of printed bill, strike out the word "and" and insert the following: "telegraphing and contingent expenses;" also, in same line, strike out the word "two" and insert the word "five."

9. After line forty, section one, page two, of printed bill, insert the following: "For salary Assistant Secretary State Board of Examiners, three thousand six hundred dollars."

10. In line forty-seven, section one, page two, of printed bill, strike out the word "one" and insert the word "two."

11. In line fifty-seven, section one, page three, of printed bill, strike out the words "seven hundred" and insert the words "one thousand."

12. In line fifty-eight, section one, page three, of printed bill, strike out the words "seven hundred and fifty" and insert the words "one thousand five hundred."

13. In lines seventy-one and seventy-two, section one, page three, of printed bill, strike out the words "seven hundred and fifty" and insert the words "one thousand."

13½. In line sixty-seven insert: "For salary of deputies to Attorney-General, fourteen thousand four hundred dollars;" also, strike out line sixty-eight.

14. After line seventy-two, section one, page three, of printed bill, insert the following: "For pay and expenses for stenographer to Attorney-General, three thousand six hundred dollars."

15. After line seventy-three, section one, page three, of printed bill, insert the following: "For office rent for Attorney-General in San Francisco, nine hundred and sixty dollars."

16. In line seventy-four, section one, page three, of printed bill, strike out the word "five" and insert the word "six."

17. After line seventy-five, section one, page three, of printed bill, insert the following: "For expenses of Attorney-General in tax suits and other suits in United States Courts, two thousand five hundred dollars."

18. In line seventy-eight, section one, page three, of printed bill, insert after the word "General" the following: "and Register of the State Land Office."

19. In line eighty, section one, page three, of printed bill, insert after the word "postage" the word "telegraphing;" also, same line, strike out the words "seven hundred" and insert the words "one thousand."

20. In line eighty-one, section one, page three, of printed bill, strike out the word "three" and insert the word "five."

21. In line eighty-two, section one, page three, of printed bill, strike out the word "one" and insert the word "two."

22. In line eighty-four, section one, page four, of printed bill, strike out the word "and" and insert the word "or;" also, same line, insert after the words "United States" the words "and individuals;" also, same line, strike out the words "six hundred" and insert the words "one thousand."

23. In line one hundred and four, section one, page four, of printed bill, strike out the words "two thousand" and insert the words "two thousand four hundred."

24. In line one hundred and seven, section one, page four, of printed bill, strike out the words "fifteen hundred" and insert the words "two thousand."

25. After line one hundred and twenty, section one, page five, of printed bill, insert the following: "For pay of employés and for stock and material for State School Text-Book

Department, forty thousand dollars; exempt from the provision of section four of this Act.

25½. Also, insert after line one hundred and twenty, and following the last amendment, the following: "For compiling of State school text-books, five thousand dollars."

26. After line one hundred and twenty-four, section one, page five, of printed bill, insert the following: "For traveling and legal expenses of Deputy Insurance Commissioner, under provision of sections five hundred and ninety-five and six hundred and seventeen of the Political Code, three thousand dollars."

27. In line one hundred and thirty-nine, section one, page five, of printed bill, strike out the words "one thousand" and insert the words "five hundred."

28. In line one hundred and forty-three, section one, page five, of printed bill, strike out the word "ten" and insert the word "twenty."

29. In line one hundred and forty-eight, section one, page five, of printed bill, strike out the words "education and care of deaf, dumb, and blind," and insert the words "the support of the Deaf, Dumb, and Blind Asylum at Berkeley."

29½. Also, same line, strike out the word "eighty-five" and insert the words "one hundred and seven."

31. After line one hundred and fifty-five, section one, page six, of printed bill, insert the following: "For support and maintenance of Preston School of Industry, thirty thousand dollars."

31½. Also, insert after line one hundred and fifty-five, and following the last amendment, the following: "For care and improvement of grounds at Preston School of Industry, seven thousand dollars."

32. In line one hundred and fifty-six, section one, page six, of printed bill, strike out the words "one hundred and seventy" and insert the words "two hundred and fifty."

33½. Also, insert after line one hundred and fifty-six, the following: "For care and improvement of grounds at Insane Asylum at Agnews, five thousand dollars."

35. In line one hundred and fifty-eight, section one, page six, of printed bill, strike out the words "two hundred and sixty" and insert the words "three hundred and twenty."

37. In line one hundred and sixty-one, section one, page six, of printed bill, strike out the words "eighty thousand five hundred" and insert the words "eighty-one thousand five hundred."

38. In line one hundred and sixty-four, section one, page six, of printed bill, strike out the word "one" and insert the word "two."

40. In line one hundred and eighty-one, section one, page six, of printed bill, strike out the word "three" and insert the word "nine."

41. After line one hundred and eighty-one, section one, page six, of printed bill, insert the following: "For support of Home for Soldiers' Widows and Orphans, and Army Nurses, fifteen thousand dollars."

42. In line one hundred and eighty-eight, section one, page seven, of printed bill, strike out the word "twenty" and insert the word "thirty."

45. In line two hundred and two, section one, page seven, of printed bill, strike out the word "forty" and insert the word "fifty."

45½. Also, after the words "dollars," end of line, add the following: "Sixty per cent of said sum to be expended for geological field work and scientific research."

46. After line two hundred and two, section one, page seven, of printed bill, insert the following: "For use of Trustees Mineral Cabinet, five hundred dollars."

47. In line two hundred and four, section one, page seven, of printed bill, strike out the word "five" and insert the word "thirty-five."

48. In line two hundred and six, section one, page seven, of printed bill, insert after the word "stationery" the word "supplies."

48½. Also, in same line strike out the word "fifteen" and insert the word "twenty."

50. In line two hundred and twelve, section one, page seven, of printed bill, strike out the word "two" and insert the word "eight."

51. After line two hundred and twelve, section one, page seven, of printed bill, insert the following: "For salary of guardian Marsball monument and grounds, one thousand two hundred dollars."

51½. Line two hundred and fourteen, page seven, change the word "fifty" to "forty."

54. In line three, section six, page ten, of printed bill, by adding the following after the word "property," end of line: "except the State Printing Office and its contents."

53. Add after the word "dollars," on line two hundred and sixty-one, page nine, the following: "For aid to District Agricultural Society No. 38, four thousand dollars."

53½. Add at the end of section one, page nine, line two hundred and sixty-six, the following: "The sum of fifteen hundred dollars is hereby appropriated, to be expended by the State Board of Examiners, to pay the deficiencies that may arise in any of the departments of the State government, not to exceed one hundred dollars against any of the appropriations provided for in this Act."

And we do further report and respectfully represent to the Senate that the Assembly Committee respectfully refused to concur to the following Senate amendments to said bill, and respectfully recommend that the Senate do recede from said following amendments, viz.:

4. In line thirty-six, section one, page two, of printed bill, strike out the words "two thousand one hundred and sixty" and insert the words "two thousand four hundred."

30. In line one hundred and fifty, section one, page five, of printed bill, strike out the word "fifteen" and insert the word "forty."

33. After line one hundred and fifty-six, section one, page six, of printed bill, insert the following: "For construction of sewer three miles long at insane asylum at Agnews, twenty thousand dollars."

34. In line one hundred and fifty-seven, section one, page six, of printed bill, strike out the words "thirty-five" and insert the word "sixty."

36. In line one hundred and sixty, section one, page six, of printed bill, strike out the word "forty" and insert the word "fifty-five."

39. In line one hundred and sixty-six, section one, page six, of printed bill, strike out the word "four" and insert the word "six."

43. In line one hundred and ninety-eight, section one, page seven, of printed bill, strike out the word "five" and insert the word "ten."

44. In line two hundred and one, section one, page seven, of printed bill, strike out the words "three thousand five hundred" and insert the words "five thousand."

49. In line two hundred and eight, section one, page seven, of printed bill, strike out the word "two" and insert the word "four."

52. In line two hundred and thirty-four, section one, page eight, of printed bill, strike out the words "four thousand" and insert the words "four thousand five hundred."

53½. In line two hundred and fifty-eight, section one, page nine, of printed bill, strike out the words "three thousand five hundred" and insert the words "five thousand."

DE LONG.
DRAY.
CRANDALL.
HAMILL.

Senator De Long moved that the Senate reconsider its action in receding from Assembly amendments to Assembly Bill No. 561, on Saturday, March twenty-first.

On roll call, the motion prevailed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Crandall, De Long, Flint, Goucher, Hamill, Harp, Heacock, Mahoney, McGowan, Mead, Preston, Shippee, Simpson, Streeter, and Williams (Wm. H.)—21.
NOES—None.

Senator De Long moved the adoption of the committee's report relative to receding from the Senate amendments to Assembly Bill No. 561.

On roll call, the motion prevailed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Siskiyou, Carpenter, Dargie, De Long, Dray, Goucher, Hamill, Harp, Heacock, McComas, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—24.
NOES—None.

On motion of Senator De Long, the consideration of the final passage of the bill was made a special order for four o'clock P. M., to-day.

The roll was called on the resolution offered by Senator Preston, relative to Senate Bill No. 484, and it was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Dargie, De Long, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, McComas, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—27.
NOES—Mr. Mahoney—1.

Senate Bill No. 484—An Act to provide for the payment to Wm. Carey Jones, out of the moneys heretofore appropriated for the compilation of a State series of school text-books, for his services in compiling the elementary book on Civil Government for the State series of school text-books, as provided in an Act approved March 19, 1889, and in accordance with an agreement made with said Jones by C. W. Childs, as a committee of the State Board of Education, to whom said matter was referred.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Dray, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Mahoney, McComas, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—26.
NOES—None.

Title read and approved.

Senator Ostrom moved to take up Senate Bill No. 125.

The further consideration of the motion was passed temporarily.

Senate Bills Nos. 369 and 321 passed temporarily.

Senate Bill No. 644—An Act authorizing the Attorney-General to settle and dismiss a certain action entitled the People of the State of California ex rel. John P. Dunn, State Controller, plaintiff, vs. Frank W. Gross et al.

Bill read second and third times.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Carpenter, De Long, Dray, Everett, Flint, Fraser, Hamill, Harp, Mahoney, McComas, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—22.
NOES—Messrs. Berry, Goucher, and Heacock—3.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Ostrom gave notice that he would, on to-morrow, move to reconsider the vote by which Senate Bill No. 644 was finally passed.

Senate Bill No. 261—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes.

Bill read second time.

Amendments by Senator Flint:

Amend section one by adding after the word "acres," in line ten, the following: "*provided*, that no land shall be subject to application or purchase under the provisions of this Act for which certificates of purchase have been issued prior to the filing of an application under this section."

Adopted.

Also: Amend by adding a new section, to be known as section eight, as follows: "SEC. 8. Nothing in this Act contained shall authorize the survey, purchase, or sale of any lands for which patents or certificates of purchase have heretofore issued under color of any law of this State or of the United States."

Adopted.

Also: Amend section eight of the printed bill to read section nine.

Adopted.

Bill ordered engrossed and printed as amended, and on file for third reading.

RESOLUTION—(OUT OF ORDER).

By Senator Goucher:

WHEREAS, The office of Journal Clerk of the Senate has been overcrowded with work; and whereas, it will require some twenty-five days after the adjournment of this body to complete the Journal of the Senate; therefore, be it

Resolved, That the Journal Clerk, Francis A. Rossi, and Assistant Journal Clerks, J. McNulty, E. A. Davis, and M. F. Dillon, be and they are hereby allowed the same per diem as allowed during the session of this body, for the said twenty-five days, payable out of the appropriation for the contingent expenses of the Senate, and the Controller is

hereby authorized and directed to draw his warrants in favor of said Journal Clerk and assistants, and the Treasurer is hereby directed to pay the same.

Referred to special committee, consisting of Senators Ostrom and Heacock.

CONSTITUTIONAL AMENDMENT.

By Senator Goucher: Senate Constitutional Amendment No. 24—Relative to making the Governor eligible to be elected to the Senate of the United States.

Resolution ordered printed.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 23, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bill has been correctly engrossed:

Senate Bill No. 689—An Act to appropriate the sum of one thousand two hundred and eighty dollars, to pay the claim of S. V. Treadway and David Kettleman, assignees of Mary Treadway, Sarah E. Trotter, Richard Trotter, Mary J. Furber, and Elbridge G. Furber, for money illegally paid the State of California.

RAGSDALE, Chairman.

CASES OF URGENCY—(RESUMED).

Senate Bills Nos. 607 and 387 passed on file.

Assembly Bill No. 195—An Act to appropriate ten thousand dollars for the purpose of sending an expert to Australia, New Zealand, and adjacent countries, to collect and import into the State parasites and predaceous insects.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Dargie, Dray, Everett, Fraser, Hamill, Heacock, Mahoney, McComas, Mead, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—None.

Title read and approved.

Assembly Bill No. 554—An Act to amend section fifty-three of the Code of Civil Procedure, approved March 11, 1872, relating to powers on appealed cases.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Solano, Campbell of Siskiyou, De Long, Dray, Everett, Flint, Goucher, Hamill, Mahoney, McGowan, Mead, Ostrom, Seawell, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—22.

NOES—Messrs. Byrnes, Carpenter, Dargie, Harp, Heacock, and Preston—6.

Title read and approved.

RECESS.

At twelve o'clock and thirty minutes P. M. the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Denison, Dray, Everett, Flint, Fraser, Hamill, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, and Williams (Geo. H.).

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 23, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 484—An Act to provide for the payment to Wm. Carey Jones, out of the moneys heretofore appropriated for the compilation of a State series of school text-books, for his services in compiling the elementary book on Civil Government for the State series of school text-books, as provided in an Act approved March 19, 1889, and in accordance with an agreement made with said Jones by C. W. Childs, as a committee of the State Board of Education, to whom said matter was referred.

Senate Bill No. 685—An Act authorizing the State Board of Examiners to sell old furniture and all material belonging to the State and not required for public use.

Senate Bill No. 306—An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the laws for the preservation of fish, for the forty-second fiscal year.

RAGSDALE, Chairman.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 36—An Act to add an additionalsection to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorneys.

Bill read second time.

Committee amendment:

Strike out of section one the word "Superior" and insert in lieu thereof the word "Supreme."

Lost.

On motion of Senator McGowan, the special order set for two o'clock and ten minutes P. M. this day was postponed until three o'clock and thirty minutes P. M. this day.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 23, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 234—An Act to establish a standard of weights and measures.

Also: Senate Bill No. 701—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate, twenty-ninth session.

Also: Senate Bill No. 236—An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations.

Also: Senate Bill No. 695—An Act for the relief of A. J. Bourn for personal injuries received by him while in the service of the State.

Also: Senate Bill No. 624—An Act appropriating money for the maintenance and support of the Sacramento Home for Foundlings, and providing for the control and disbursement thereof by the State Board of Examiners.

Also: Senate Bill No. 355—An Act to appropriate money to pay the claim of William Gutenberger, for the loss of tools and property destroyed at the Branch State Prison at Folsom.

Also: Senate Bill No. 600—An Act making an appropriation for additional improvements for the Southern California State Hospital for the Insane.

Also: Senate Bill No. 90—An Act to amend an Act entitled "An Act to amend section six of an Act entitled 'An Act concerning the waterfront of the City and County of San Francisco,' approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners," approved March 17, 1880.

Also: Senate Bill No. 371—An Act to provide for accommodations and improvements at the State Insane Asylum at Stockton, and to appropriate money therefor.

Also: Senate Joint Resolution No. 18—Relative to the Nicaragua Canal.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

SPECIAL FILE—(RESUMED).

Substitute for Assembly Bill No. 115—An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885, and to provide for clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, De Long, Denison, Dray, Everett, Goucher, Hamill, Maher, Mahoney, Mead, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—22.

NOES—Mr. Harp—1.

Title read and approved.

On motion of Senator Heacock, Assembly Bill No. 669 was stricken from the file.

Assembly Bill No. 293—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys to the credit of the Construction Fund of Drainage District No. 1, and also from time to time to transfer to the General Fund all moneys that may hereafter be paid into said Construction Fund of Drainage District No. 1.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Carpenter, De Long, Denison, Dray, Everett, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—Messrs. Goucher and Hamill—2.

Title read and approved.

Assembly Bill No. 295—An Act providing for the cancellation of certain receipts which were directed by law to be received as cash by the State Treasurer, and authorizing the Controller and Treasurer to make the proper entries in the books of their respective offices.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Carpenter, De Long, Denison, Dray, Everett, Fraser, Harp, Heacock, Maher, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—23.

NOES—None.

Title read and approved.

Assembly Bill No. 493—An Act to amend section two hundred and ninety of the Civil Code, relative to articles of incorporation.

Bill read first, second, and third times, and refused final passage by the following vote:

AYES—Messrs. Britt, Dray, Flint, Fraser, Mahoney, McGowan, Mead, Seawell, and Williams (Geo. H.)—9.
NOES—Messrs. Bailey, Denison, Everett, Goucher, Hamill, Harp, Heacock, McComas, Ostrom, Preston, Shippee, Simpson, and Welch—13.

NOTICE OF RECONSIDERATION.

Senators Dray and Hamill each gave notice that on to-morrow he would move to reconsider the vote whereby Assembly Bill No. 493 was this day refused final passage.

Assembly Bill No. 588—An Act to amend section one thousand nine hundred and sixty-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, to be known as subdivision eight, relating to what are deemed conclusive presumptions.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Broderick, De Long, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—24.
NOES—Messrs. Bailey, Byrnes, Carpenter, and Denison—4.

Title read and approved.

Assembly Bill No. 708—An Act to add a new section to the Political Code, to be numbered two thousand five hundred and fifty-five, relating to the leasing of wharves, docks, and landings under control of the Harbor Commissioners.

Bill read first, second, and third times, and refused final passage by the following vote:

AYES—Messrs. Britt, Broderick, Dray, Harp, Maher, McGowan, Mead, Ostrom, Preston, Welch, Williams (Wm. H.), and Williams (Geo. H.)—12.
NOES—Messrs. Bailey, Banks, Byrnes, Carpenter, Crandall, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Heacock, McComas, Ragsdale, Seawell, Shippee, and Simpson—18.

NOTICE OF RECONSIDERATION.

Senator Goucher gave notice that he would, on to-morrow, move to reconsider the vote by which Assembly Bill No. 708 was refused final passage to-day.

Assembly Bill No. 691—An Act to establish law libraries.

Bill read first and second times.

Amendment by Senator Ostrom:

Amend by striking out of all the sections the words "law," and inserting the following: "public."

Ayes and noes demanded on the adoption of the amendment by Senators Ostrom, Streeter, and Langford.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Banks, Campbell of Solano, Dray, Mahoney, Ostrom, Ragsdale, and Welch—7.
NOES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Denison, Everett, Flint, Goucher, Hamill, Harp, Heacock, Langford, Maher, McComas, Seawell, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—23.

Bill read third time, and refused final passage by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Denison, Hamill, Heacock, Maher, Sprague, Williams (Wm. H.), and Williams (Geo. H.)—14.

NOES—Messrs. Banks, Berry, Campbell of Solano, Dray, Everett, Fraser, Goucher, Harp, Langford, Mahoney, McGowan, Mead, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, and Welch—19.

NOTICE OF RECONSIDERATION.

Senator Goucher gave notice that he would, on to-morrow, move to reconsider the vote by which Assembly Bill No. 691 was refused final passage.

SPECIAL ORDER.

Assembly Bill No. 18—An Act to provide for Police Courts in cities having fifteen thousand and under eighteen thousand inhabitants.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Heacock, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.

NOES—None.

Title read and approved.

Special order set for three o'clock and thirty minutes P. M. postponed temporarily.

On motion of Senator De Long, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 243—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Also: Senate Bill No. 346—An Act to appropriate the sum of three thousand one hundred dollars to purchase adjacent lands at San Quentin for the use of the State Prison, together with the improvements thereon.

Also: Passed, as amended, Senate Bill No. 151—An Act amendatory of an Act entitled an Act to amend an Act entitled "An Act to protect and promote the horticultural interests of the State," approved March 14, 1881, approved March 19, 1889.

Also: Passed Senate Bill No. 684—An Act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve.

Also: Passed Assembly Bill No. 589—An Act to amend sections three thousand four hundred and fifty-four and three thousand four hundred and fifty-five of the Political Code of this State, relating to the powers and duties of Boards of Trustees of reclamation districts formed for the reclamation of swamp and overflowed lands.

Also: Passed Senate Bill No. 104—An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes.

Also: Senate Bill No. 561—An Act to extend the jurisdiction of the Board of State Harbor Commissioners over East Street, San Francisco.

Also: Senate Bill No. 51—An Act to amend an Act entitled "An Act to authorize reincorporation of rural cemetery associations," approved April 28, 1859.

Also: Senate Bill No. 693—An Act ceding to the United States of America jurisdiction over lands in this State ceded to the United States.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 293—An Act for the relief of John J. Conlin.

Also: Respectfully refused to pass Senate Bill No. 54—An Act to appropriate money to pay the claim of George J. Mothersole for labor performed and expenses incurred in roofing the Napa State Asylum for the Insane, under a written contract.

And Senate Bill No. 517 -An Act relating to the roofing of public buildings in the State of California.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Senate Bills Nos. 293, 561, 51, 693, 684, 243, and 346 ordered to enrollment.

Assembly Bill No. 589 ordered on file.

Assembly amendments to Senate Bill No. 151:

Amend by striking out of section two, lines thirty-one to thirty-seven, inclusive, and inserting the following: "and premises, which action to foreclose all such liens shall be brought in the proper Court by the District Attorney of the county in the name and for the benefit of the county making such payment or payments; and when the property is sold, enough of the proceeds shall be paid into the County Treasury of such county to satisfy the lien and costs, and the overplus, if any there be, shall be paid to the owner of the property if he be known, and if not, into the Court for his use when ascertained."

Also: Amend by striking out of section two, page two, lines one to seven, inclusive, called section five.

On motion, the amendments were concurred in by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, De Long, Dray, Everett, Goucher, Harp, Heacock, Mead, Preston, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—22.

NOES—None.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that in accordance with a resolution passed by your honorable body, the Assembly herewith returns Assembly Bill No. 685, and also in accordance with your request appointed as a Committee of Conference on Assembly Bill No. 561 Messrs. Dibble, Hail, Phillips, Shanahan, and Mathews.

Also: Respectfully refused to concur in Senate amendments to Assembly Bill No. 230.

Also: Appointed as Committee of Conference on Assembly Bill No. 129 Messrs. Dibble, Robertson and Clark, and respectfully ask that your honorable body appoint a like committee.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 377 An Act to authorize the State Board of Prison Directors to pay for certain skilled labor used in the construction of the dam and canal at the Folsom Prison, and making an appropriation therefor.

H. A. MASON, Chief Clerk.
By ED. J. SMITH, Assistant.

Senator Fraser moved that the Senate recede from Senate amendments to Assembly Bill No. 230.

Motion carried.

On motion of Senator McGowan, the Chair appointed Senators McGowan, McComas, and Mead as a Committee of Conference on Assembly Bill No. 129.

Assembly Bill No. 377 ordered on file.

RESOLUTION—(OUT OF ORDER).

By Senator Seawell:

Resolved, That Assembly Bill No. 611 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Sprague, Streeter, and Williams (Wm. H.)—30.
NOES—Messrs. Crandall and Ragsdale—2.

SPECIAL URGENCY CASE.

Assembly Bill No. 611—An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure of California.

Amendment by Senator Crandall:

Amend by striking out of section one, line seven, the word "transferment," and inserting the following: "transfer must."

Adopted.

Amendment by Senator Seawell:

Amend title so as to read: "An Act to amend section one thousand four hundred and thirty-one of an Act entitled 'An Act to establish a Code of Civil Procedure of California,' relating to proceedings pending in the Superior Court in relation to and for the settlement of estates of deceased persons."

Adopted.

Bill ordered printed as amended.

RESOLUTION—(OUT OF ORDER).

By Senator Hamill:

Resolved, That Assembly Bill No. 377 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Banks, Berry, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Welch, and Williams (Geo. H.)—28.
NOES—None.

Senate Bill No. 377—An Act to prevent the use of substitute for hops, or pure extract of hops, in the manufacture of ale or beer sold or offered for sale in this State.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Brynes, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—Mr. Crandall—1.

Title read and approved.

Senate Concurrent Resolution No. 8, introduced by Senator Campbell of Siskiyou, this day, and made a special order for three o'clock and thirty minutes P. M. to-day, was read and adopted by the following vote:

AYES—Messrs. Bailey, Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, and Williams (Wm. H.)—26.
NOES—Mr. Langford—1.

Senate Concurrent Resolution No. 7, relative to adjournment, introduced by Senator McGowan, and made a special order for three o'clock and thirty minutes P. M. to-day, was taken up.

Senator Ragsdale moved to amend by making it Tuesday at midnight.

Amendment lost.

Senator Heacock moved to amend by making it two o'clock and thirty minutes P. M. on Thursday next.

The question being put on the shortest time, the original resolution was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Seawell, Simpson, Sprague, Streeter, Welch, and Williams (Wm. H.)—26.
NOES—Messrs. Berry, Broderick, Campbell of Solano, Carpenter, Langford, Shippee, and Williams (Geo. H).—7.

President pro tem. Fraser in the chair.

Senate Bill No. 689—An Act to appropriate the sum of one thousand two hundred and eighty dollars, to pay the claim of S. V. Treadway and David Kettleman, assignees of Mary Treadway, Sarah E. Trotter, Richard Trotter, Mary J. Furber, and Elbridge G. Furber, for money illegally paid the State of California.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Hamill, Harp, Langford, Maher, Mahoney, McComas, Ostrom, Preston, Seawell, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—25.
NOES—None.

Title read and approved.

Senate Bill No. 648—An Act to promote silk culture in the penal, reformatory, and charitable institutions of the State of California, and to encourage sericulture throughout the State, and to provide for the expenses thereof.

Bill read third time.

Senator Carpenter moved to refer the bill to a special committee of one, consisting of Senator Crandall, to amend by striking out "ten thousand dollars" and inserting "five thousand dollars" therefor.

Lost.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Banks, Broderick, Dray, Everett, Fraser, Hamill, Mahoney, Preston, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—11.
NOES—Messrs. Bailey, Berry, Byrnes, Carpenter, Crandall, Denison, Harp, Heacock, Langford, McComas, Ostrom, Ragsdale, Shippee, and Simpson—14.

Senator Carpenter moved that when recess be taken it be until seven o'clock and thirty minutes this evening.

So ordered.

On motion of Senator McComas, Senate Bill No. 627 was taken up.

Senate Bill No. 627—An Act to amend an Act entitled "An Act to

establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State, and to repeal section seven hundred and ninety-three of said Code, relating to the term of office of Notaries Public, approved March 19, 1889.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell of Siskiyou, Carpenter, Crandall, De Long, Dray, Everett, Flint, Fraser, Goucher, Heacock, Langford, Mahoney, McComas, McGowan, Preston, Shippee, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—24.
NOES—Mr. Harp—1.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, March 23, 1891.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bills Nos. 105, 557, 594, and 676—respectfully report the same back without recommendation.

FRASER, Chairman.

Senator McGowan asked leave to withdraw substitute for Senate Bill No. 280.

Granted.

RESOLUTION—(OUT OF ORDER).

By Senator McGowan:

Resolved, That Assembly Bill No. 90 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Langford, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Welch, and Williams (Wm. H.)—28.
NOES—None.

SPECIAL URGENCY CASE.

Assembly Bill No. 90—An Act to add a new section to the Code of Civil Procedure, said section to be designated as section seven hundred and forty-nine, relating to the quieting of title to real property.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Everett, Flint, Fraser, Goucher, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—28.

Title read and approved.

MOTIONS.

Senator Goucher moved that the rules be suspended temporarily, whereby it is necessary to act on a motion to reconsider the following day after motion is given.

The roll was called, and motion adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—35.

NOES—None.

Senator Goucher then moved to reconsider the vote whereby Assembly Bill No. 691 was refused final passage.

On roll call, the motion prevailed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—35.

NOES—None.

Senator Goucher moved that the bill be referred to a special committee of one, consisting of Senator McGowan, to make the following amendment:

Amend section fourteen, line five, after the word "governed," by inserting the following: "*and provided further*, that it shall be discretionary with the Board of Supervisors of any county to provide by ordinance for the application of the provisions of this Act to such county."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 23, 1891.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Assembly Bill No. 691, with instructions to amend, has had the same under consideration, and respectfully report the same back amended as per your instructions.

McGOWAN, Committee.

Bill ordered engrossed and printed as amended.

RECESS.

On motion of Senator Wm. H. Williams, at five o'clock and forty-five minutes P. M. the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled. Hon. Thos. Fraser, President pro tem. of the Senate, in the chair. Roll called, and the following Senators answered to their names:

Messrs. Banks, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

LEAVE OF ABSENCE.

Senator Dargie was granted a leave absence for the evening.

REPORT OF CONFERENCE COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 23, 1891.

MR. PRESIDENT: Your Committee of Conference concerning Assembly Bill No. 87, report that we have met a like committee of the Assembly, consisting of Assemblymen Phillips, Clark, and Gould, and we report that the committee disagreed upon the Senate amendments, and most respectfully ask for the appointment of a free conference.

CARPENTER, For Committee.

Senator Campbell of Solano moved that the request of the committee be not complied with.

On the appointment of Free Conference Committee the roll was called, and the committee's recommendation was complied with by the following vote:

AYES—Messrs. Campbell of Siskiyou, Carpenter, De Long, Denison, Flint, Fraser, Goucher, Harp, Heacock, Langford, McComas, Ostrom, Shippee, Simpson, Streeter, and Williams (Wm. H.)—16.

NOES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Solano, Dray, Everett, Hamill, Maher, Mahoney, Mead, Preston, Welch, and Williams (Geo. H.)—14.

The Chair appointed Senators Carpenter, Berry, and Crandall as such committee.

Senator De Long moved that Assembly Bill No. 561 be now taken up.

So ordered.

Assembly Bill No. 561—An Act making appropriations for the support of the government of the State of California for the forty-third and forty-fourth fiscal years.

The bill having been previously read the third time, the roll was called on its final passage, with the following result:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Carpenter, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, McComas, Mead, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—25.

NOES—Messrs. Campbell of Solano, Mahoney, and Ostrom—3.

Title read and approved.

URGENCY FILE.

Senate Bill No. 365—An Act making an appropriation to pay the claim of Henry Mahler, for services superintending the improvement of the grounds around the Marshall monument.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—Messrs. Banks and Everett—2.

Title read and approved.

Senate Bill No. 125 passed on file.

Senate Bill No. 655—An Act to provide for the publication of a State Blue Book or Roster.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Campbell of Siskiyou, Carpenter, De Long, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—None.

Title read and approved.

Senate Bill No. 546—An Act to amend section two thousand six hundred and fifty-two of the Political Code, relating to road poll tax.

Bill read third time, and passed temporarily on file.

Senator Shippee asked leave to withdraw Senate Bill No. 451 and substitute therefor Assembly Bill No. 512 on urgency file.

Granted.

Assembly Bill No. 512—An Act to amend section three thousand four hundred and sixty-six of the Political Code, relating to the collection of assessments made by Commissioners of Assessment in reclamation districts of this State.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Fraser, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Welch, and Williams (Wm. H.)—22.
NOES—None.

Title read and approved.

On motion of Senator De Long, Assembly messages were taken up.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 678—An Act to establish a uniform system of county and township governments.

Also: Assembly Bill No. 623—An Act to amend sections three thousand nine hundred and sixteen and three thousand nine hundred and twenty-two of the Political Code of the State of California, relating to county boundaries.

Also: Senate Bill No. 569—An Act to empower the Board of State Harbor Commissioners to rectify the alignment of East Street, from Pacific Street to Market Street, in the City and County of San Francisco, and to sell, acquire, and condemn adjacent property.

Also: The Committee of Conference on Assembly Bill No. 87 report that they could not agree, and that Messrs. Phillips, Gould, and Clark were appointed a Committe of Free Conference, and ask that your honorable body appoint a like committee.

Also: Passed Assembly Bill No. 760—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes.

Also: Passed, as amended, Senate Bill No. 334—An Act to encourage the cultivation of ramie in the State of California, to provide a bounty for ramie fiber, and to make an appropriation therefor; to appoint a State Superintendent of Ramie Culture, and make an appropriation for his salary.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Senate Bills Nos. 678 and 569 ordered to enrollment.

Assembly Bills Nos. 760 and 623 ordered on Assembly file.

On motion of Senator De Long, Assembly amendments to Senate Bill No. 334 were concurred in.

Assembly amendments to Senate Bill No. 334:

Amend by adding immediately after the title the words: "The People of the State of California, represented in Senate and Assembly, do enact as follows."

URGENCY FILE—(RESUMED).

Senator Maher asked leave to withdraw Senate Bill No. 640 and substitute therefor Assembly Bill No. 208 on urgency file.

Granted.

Assembly Bill No. 208—An Act to amend section seven of an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State."

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Siskiyou, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Maher, McComas, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Welch, Williams (W. H.), and Williams (G. H.)—23.
NOES—None.

Title read and approved.

Senate Bill No. 670—An Act to amend an Act entitled "An Act to establish a Penal Code of the State of California," approved March 12, 1872, relating to lotteries.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Broderick, Campbell of Siskiyou, De Long, Denison, Dray, Everett, Fraser, Goucher, Harp, Heacock, Maher, McComas, McGowan, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—21.
NOES—None.

Title read and approved.

On motion of Senator Goucher, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 115.

Also: Adopted conference committee report on Assembly Bill No. 561.

Also: Concurred in Senate Concurrent Resolution No. 8—Relative to authorizing the Governor to receive moneys levied by the direct tax levied by Congress.

Also: Passed, as amended, Senate Bill No. 324—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Assembly amendments to Senate Bill No. 324:

Amend by striking out of section six, line two, the words "this State," and inserting the following: "any city, or city and county in this State having a population exceeding ten thousand inhabitants."

Also: Amend by striking out of section four, line four, the words "this State," and inserting the following: "any city, or city and county in this State having a population exceeding ten thousand inhabitants."

Also: Amend by striking out of section three, line three, the words "this State," and inserting the following: "any city, or city and county in this State having a population exceeding ten thousand inhabitants."

Also: Amend by striking out of section five, line three, the words "this State," and inserting the following: "any city, or city and county in this State having a population exceeding ten thousand inhabitants."

On roll call, the Assembly amendments to Senate Bill No. 324 were concurred in by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Campbell of Siskiyou, De Long, Denison, Dray, Goucher, Hamill, Harp, Heacock, Langford, McComas, Mead, Preston, Shippee, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—21.
NOES—Messrs. Campbell of Solano, Everett, Fraser, and McGowan—4.

MOTION.

Senator Heacock moved to have recalled from the Assembly Senate concurrent resolution relative to adjourning sine die.

On roll call, the motion was lost by the following vote:

AYES—Messrs. Bailey, Campbell of Solano, Campbell of Siskiyou, Dray, Goucher, Harp, Heacock, Maher, McComas, Mead, Preston, Ragsdale, Shippee, and Simpson—14.
NOES—Messrs. Banks, Britt, Broderick, Carpenter, De Long, Denison, Everett, Fraser, Hamill, Mahoney, McGowan, Ostrom, Seawell, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—17.

Senator Simpson moved that the Senate do now adjourn.

Motion lost.

URGENCY FILE—(RESUMED).

Senate Bill No. 354—An Act for the regulation of the practice of medicine and surgery in this State, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Bill read first time.

Senator Campbell of Solano objected to further consideration, and demanded a roll call.

The roll was called, and the Senate decided to further consider the bill by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Siskiyou, Carpenter, Everett, Flint, Goucher, Hamill, Harp, Langford, Ostrom, Preston, Ragsdale, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—20.
NOES—Messrs. Campbell of Solano, Crandall, Dray, Fraser, and Heacock—5.

Bill read second time.

Amendments by Senator Simpson:

Amend by striking out all of section six.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Campbell of Solano, Crandall, Denison, Dray, Fraser, Goucher, Harp, Heacock, Langford, Maher, McComas, Shippee, and Simpson—13.
NOES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Siskiyou, Carpenter, Everett, Flint, Hamill, Preston, Ragsdale, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—16.

Also: Amend by striking out of section seven, line two, the words: "and has successfully passed the said examination."

Lost.

Amendments by Senator Carpenter:

Amend section thirteen, line seven, by adding after the word "expenses," "and the salaries of all officers and traveling expenses."

Lost.

Also: Amend by striking out of section seventeen, lines five and six, the words "magnetism, electricity."

Lost.

Amendment by Senator Dray:

Amend by adding to section eighteen the words: "or any person practicing medicine or surgery at the date of the passage of this Act."

Lost.

Amendment by Senator Carpenter:

Amend by striking out section twenty.

Lost.

Amendment by Senator Mead:

Amend section twelve, line seventy-three, by inserting the following after the word "intemperance:" "or prescribing for or attending to any person as a practitioner while intoxicated to any extent."

Lost.

Senator Crandall moved to strike out section thirteen, next to section twelve.

Motion lost.

Senator Crandall moved to amend by striking out section thirteen next to section fourteen.

Motion lost.

Senator Simpson moved to adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Campbell of Solano, Campbell of Siskiyou, Crandall, Denison, Dray, Fraser, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Shippee, Simpson, and Streeter—16.

NOES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Carpenter, Everett, Flint, Goucher, Hamill, McGowan, Preston, Ragsdale, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—17.

RESOLUTION—(OUT OF ORDER).

By Senator Preston:

WHEREAS, The Senate and Assembly did, on the eighteenth day of March, eighteen hundred and ninety-one, adopt the following concurrent resolution, to wit:

"SENATE CONCURRENT RESOLUTION No. 5.

"WHEREAS, Certain documentary evidence, consisting of scraps and pieces of written memoranda, were delivered by certain members of the Senate and Assembly to the Attorney-General on the seventeenth instant, in sealed envelopes for safe-keeping and investigation; and whereas, it is claimed and alleged that such documentary evidence is important and material as having a bearing upon matters pending before the Legislature; therefore, be it

"*Resolved by the Senate, the Assembly concurring*, That a committee of three from each House be appointed, who, with the Attorney-General, shall open said envelopes, arrange such documentary evidence so as to make it readable, and report the same to both Houses without delay."

AND WHEREAS, The investigations of said joint committee have not yet been completed.

Resolved by the Senate, the Assembly concurring, That said joint committee be and the same is hereby constituted a commission, and authorized and instructed to continue its investigations, if necessary, after the adjournment of the Legislature, with authority to subpœna witnesses, in connection with said papers, upon the subject-matters therein mentioned and referred to, and to report the results of their investigation to his Excellency the Governor of California.

ADJOURNMENT.

On motion of Senator Mahoney, the Senate stood adjourned at ten o'clock and thirty minutes P. M.

IN SENATE.

SENATE CHAMBER,
Tuesday, March 24, 1891.

Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. J. A. Bruner.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Senator Berry, further reading was dispensed with.

MOTION.

On motion of Senator Voorhies, Assembly Bill No. 685 was taken up.

Assembly Bill No. 685—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder.

The bill having been read the third time on a previous day, the roll was called on its final passage, with the following result:

AYES—Messrs. Bailey, Berry, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Heacock, Langford, McComas, Mead, Ragsdale, Seawell, Shippee, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—22.
NOES—Mr. Mahoney—1.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Fraser:

Resolved, That the Assembly be requested to take final action upon all Senate Bills now upon the third reading file of the Assembly, under the joint rule.

Adopted.

Senator Campbell of Solano moved to take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 375—An Act authorizing the Attorney-General to dismiss those certain actions pending in the Superior Court of the City and County of San Francisco, and numbered eleven thousand seven hundred and six, eleven thousand nine hundred and twenty-five, and eleven thousand nine hundred and twenty-six, upon payment to him for the use of the State of certain moneys.

Also: Passed, as amended, Senate Bill No. 516—An Act to enable the Coulterville and Yosemite Turnpike Company, a corporation, to sue the State of California for the loss and damage suffered and sustained by said corporation, by the construction of a road by the Yosemite Turnpike Road Company, under and by virtue of an Act of the Legislature of the State of California entitled "An Act granting the right of way to the Yosemite Turnpike Road Company over the Yosemite Grant," approved February 17, 1874, and for the relief of the said Coulterville and Yosemite Turnpike Company.

Also: Senate Bill No. 554—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto certain new and additional sections to provide the mode of carrying into effect certain provisions of said Act, relative to changing grades.

Also: Passed Senate Bill No. 431—An Act to amend sections one thousand two hundred and seventeen, one thousand two hundred and twenty, one thousand two hundred and twenty-one, one thousand two hundred and twenty-three, one thousand two hundred and twenty-four, one thousand two hundred and twenty-five, one thousand two hundred and twenty-six, one thousand two hundred and twenty-seven, one thousand two hundred and twenty-nine, and one thousand two hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to execution of judgment of death.

Also: Senate Bill No. 564—An Act to declare the bridge across Feather River, extending from Fifth Street, at the city of Marysville, in the county of Yuba, to the opposite bank of said river, a free bridge.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Senate Bills Nos. 375, 431, and 564 ordered to enrollment.

Assembly amendments to Senate Bill No. 516:

Amend section five by striking out all after the words "Supreme Court," in line three of said section, and insert the following: "Then the plaintiff in said action shall file a certified copy of said judgment with the Governor of the State; and it is hereby made the duty of the Governor, by message, to inform the Legislature of the existence of said judgment against the State."

Also: Amend section four by striking out all after the word "interpose," in line eight of said section, and insert: "In beginning this action it is expressly understood that said Coulterville and Yosemite Turnpike Company shall file with the Superior Court of the county of Sacramento a bond in sufficient sum to cover the cost of Court, such as may be deemed sufficient and approved by said Court, and an additional bond in the sum of five hundred dollars to be paid as fees for counsel employed by the State in the defense of the case, but in the event the judgment is in favor of said Coulterville and Yosemite Turnpike Company it shall in no manner be responsible, and its bondsmen shall be released from all liability."

Also: Amend section six by striking out all of said section and insert the following:

SEC. 6. This Act shall take effect from and after its passage.

The roll was called on the amendments, and they were concurred in by the following vote:

AYES—Messrs. Banks, Broderick, Byrnes, Campbell of Solano, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Langford, McComas, McGowan, Mead, Seawell, Shippee, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—23.

NOES—None.

Assembly amendments to Senate Bill No. 554:

Amend by striking out of section forty-seven, line six, the word "if" at end of line; also, all of line seven, page five, of section forty-seven, up to the word "or" at end of line of amended bill.

Amendments concurred in by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, McComas, Mead, Shippee, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—21.
NOES—Mr. Mahoney—1.

RESOLUTION—(OUT OF ORDER).

By Senator McComas:

Resolved, That Senate Bill No. 198 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times upon one day, and placed upon its passage.

On roll call, the resolution was adopted by the following vote:

AYES—Messrs. Banks, Berry, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Hamill, Harp, Heacock, Langford, Maher, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—32.
NOES—Mr. Mahoney—1.

Senate Bill No. 198—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Byrnes, Campbell of Solano, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, McComas, Mead, Ostrom, Ragsdale, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

Title read and approved.

Senator Berry moved to take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 720—An Act to amend section three thousand four hundred and sixty of the Political Code of the State of California, in reference to making assessments on land in swamp land districts.

Also: Passed, as amended, Senate Bill No. 456—An Act to amend section one thousand and ninety-six of the Political Code of the State of California, in relation to registration of voters.

Also: Adopted Free Conference Committee report on Assembly Bill No. 87.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Assembly Bill No. 720 ordered to head of Assembly file.

Senator Berry moved that the Senate concur in the following Assembly amendments to Senate Bill No. 456:

Amend by inserting after line fourteen, of printed bill, the following:
12. The Post Office address at date of entry of each person.
Also: Amend by striking out of section one, of printed bill, line thirteen, the figure "6" and insert the following: "11."

Motion carried by the following vote:

AYES—Messrs. Bailey, Berry, Byrnes, Campbell of Siskiyou, Dargie, De Long, Dray, Everett, Goucher, Harp, Langford, Maher, Mahoney, Ostrom, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—21.
NOES—None.

REQUEST.

Senator Berry asked permission to introduce a bill.

The roll was called, and permission granted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, Mead, Ostrom, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.

NOES—None.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Senator Berry: Senate Bill No. 704—An Act appropriating money for the payment of the salary, from March 24, 1891, to July 1, 1891, of one deputy Attorney-General.

Bill ordered printed.

Senator Streeter moved to take up Senate Bill No. 567, on special urgency file.

So ordered.

URGENCY CASES.

Senate Bill No. 567—An Act to amend section three hundred and nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to declaring dividends by Directors of corporations, and repealing section three hundred and nine of said Code.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Byrnes, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, Ostrom, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—24.

NOES—None.

Title read and approved.

Senate Bill No. 199 passed on file.

Senate Bill No. 329—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Byrnes, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Maher, McComas, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—26.

NOES—None.

Title read and approved.

Senate Bill No. 361 passed on file.

Senator Everett moved that the Senate now proceed to reconsider the vote whereby Senate Bill No. 644 was finally passed on yesterday.

The roll was called, and the Senate refused to reconsider its action by the following vote:

AYES—Messrs. Bailey, Berry, Byrnes, Goucher, Heacock, Maher, Ostrom, Seawell, Shippee, Voorhies, and Welch—11.

NOES—Messrs. Banks, Britt, Dargie, Denison, Dray, Flint, Hamill, Harp, Mahoney, Simpson, Sprague, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—14.

Senate Bill No. 125—An Act to amend section three thousand nine hundred and twenty-six of the Political Code, relating to the boundary of Sutter County.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Dray, Flint, Goucher, Heacock, Maher, McComas, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, and Williams (Wm. H.)—21.
NOES—Messrs. Hamill and Voorhies—2.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 23, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bill has been correctly engrossed: No. 261 An Act regulating the sale of lands uncovered by the recession of the waters of inland lakes.

RAGSDALE, Chairman.

REPORT OF SPECIAL COMMITTEE.

SACRAMENTO, March 23, 1891.

MR. PRESIDENT: Your Special Committee appointed to investigate and put together the scraps found in the State Librarian's office on the seventeenth of March, 1891, and to take testimony thereon, beg leave to report the following expense account for per diem of witnesses, mileage, and services of experts, clerk, bailiff, and stenographers, viz.:

E. M. Preston, witness	$2 00
M. M. Estee, witness	2 00
H. C. Dibble, witness	2 00
S. C. Evans, witness	2 00
W. S. Leake, witness	2 00
Dana Perkins, witness	2 00
Frank A. Miller, witness	2 00
E. H. Heacock, witness	2 00
Johanna O'Hare, witness	2 00
C. N. Felton, witness	2 00
F. N. Marion, witness	2 00
C. D. Perkins, witness	2 00
E. H. Tucker, witness	2 00
W. H. McKenzie, witness	35 80
A. D. Barling, witness	35 80
Edward Cushing, witness	18 80
O. B. Fogel, witness	18 80
S. B. Solomon, witness	2 00
G. T. Clark, witness	2 00
J. E. T. Pike, witness	2 00
F. P. Kelly, expert	15 00
J. C. Stedman, expert	15 00
N. King, bailiff	30 00
C. W. Freeman, clerk	56 00
W. M. Cutter, for taking and transcribing testimony	376 00
A. Betz, for taking and transcribing testimony	86 80
Western Union Telegraph Company, telegrams	27 50
C. S. Laumeister, Sheriff's fees	6 00
J. M. Hensley, Sheriff's fees	1 30
Total	$756 80

And your committee recommend the adoption of the following resolution, viz.:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of Hon. E. C. Voorhies, Chairman, for the sum of three hundred and seventy-eight dollars and forty cents, being one half of the above amount, to be paid out of the Contingent Fund of the Senate.

VOORHIES, Chairman.

MOTION.

Senator McGowan moved that the item of two dollars credited to him be stricken out.

So ordered.

The roll was called, and the report adopted by the following vote:

Ayes—Messrs. Banks, Broderick, Byrnes, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Everett, Hamill, Heacock, Langford, Mahoney, McComas, Mead, Ostrom, Preston, Simpson, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—23.

Noes—Messrs. Harp and Ragsdale—2.

URGENCY CASES—(RESUMED).

Senate Bill No. 261—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes.

Bill read third time, and finally passed by the following vote:

Ayes—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Siskiyou, Crandall, Dargie, Denison, Dray, Everett, Flint, Goucher, Hamill, Langford, Maher, Mahoney, McComas, Mead, Preston, Ragsdale, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.

Noes—None.

Title read and approved.

MOTION TO RECONSIDER.

Senator Dray moved to reconsider the vote whereby Assembly Bill No. 493 was refused final passage on yesterday.

The roll was called, and the motion carried by the following vote:

Ayes—Messrs. Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Goucher, Hamill, Heacock, Langford, Maher, Mahoney, McComas, Mead, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—27.

Noes—None.

Assembly Bill No. 493—An Act to amend section two hundred and ninety of the Civil Code, relative to articles of incorporation.

The roll was called, and the bill finally passed by the following vote:

Ayes—Messrs. Britt, Campbell of Siskiyou, Carpenter, De Long, Dray, Everett, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Mead, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—23.

Noes—None.

Title read and approved.

URGENCY CASES—(RESUMED).

Senator Ragsdale asked leave to withdraw Senate Bill No. 546, and substitute therefor Assembly Bill No. 455.

Granted.

Assembly Bill No. 455—An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service, and upon public works of the State of California, of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—31.

NOES—Messrs. Berry and Harp—2.

Title read and approved.

Substitute for Senate Bill No. 406—An Act to provide for a State Board of Charities and Corrections, defining its powers and duties, and appropriating money therefor; also, prescribing the duties of State, county, township, and municipal officers in connection therewith.

Senator Hamill objected to the consideration of the bill at this time.

The roll was called, and the Senate refused to consider the bill by the following vote:

AYES—Messrs. Bailey, Berry, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Denison, Dray, Heacock, Langford, McComas, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, and Voorhies—18.

NOES—Messrs. Britt, Broderick, Byrnes, Dargie, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, Mead, Seawell, Welch, Williams (Wm. H.), and Williams (Geo H.)—16.

On motion of Senator Fraser, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 432—An Act fixing a bounty on coyote scalps.

Also: Senate Bill No. 699—An Act to provide a salary for the Keeper of the Archives in the office of the Secretary of State, for the balance of the forty-second fiscal year.

Also: Senate Bill No. 365—An Act making an appropriation to pay the claim of Henry Mahler, for services superintending the improvement of the grounds around the Marshall monument.

Also: Senate Bill No. 256—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Also: Concurred in Senate Concurrent Resolution No. 11:

Resolved by the Senate, the Assembly concurring, That the Legislature, in twenty-ninth session assembled, adjourn sine die Wednesday, March 25, 1891, at twelve o'clock P. M. of said day.

Also: Passed Senate Bill No. 700—An Act appropriating money to pay the salary of phonographic reporter in Attorney-General's office, from the first of April to the first of July, 1891.

Also: Passed Senate Bill No. 167—An Act to make train wrecking a capital offense.

Also: Assembly Bill No. 740—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the State Controller.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Senate Bills Nos. 432, 699, 365, 256, 700, and 167 ordered to enrollment.

Assembly Bill No. 740 ordered on file.

RECESS.

At twelve o'clock and thirty minutes P. M. the Senate took a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Quorum present.

REPORT OF SPECIAL COMMITTEE ON FREE CONFERENCE.

SENATE CHAMBER, SACRAMENTO, March 24, 1891.

MR. PRESIDENT: Your Committee of Free Conference concerning Assembly Bill No. 87 "An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand eight hundred, three thousand eight hundred and sixteen, and three thousand eight hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation" report that we have met a like committee of the Assembly, consisting of Messrs. Phillips, Gould, and Clark, and we report that the Free Conference Committee agreed upon and recommend the adoption of the accompanying substitute for said bill, and all amendments thereto.

CARPENTER,
BERRY,
CRANDALL,
Free Conference Committee.

RESOLUTION—(OUT OF ORDER).

By Senator Dray:

Resolved, That Assembly Bill No. 720 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times upon one day, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Banks, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Seawell, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.

NOES—None.

URGENCY CASE.

Assembly Bill No. 720—An Act to amend section three thousand four hundred and sixty of the Political Code of the State of California, in reference to making assessments on land in swamp land districts.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Maher, Mahoney,

McComas, Mead, Ostrom, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—24.
NOES—None.

Title read and approved.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 36—An Act to add an additional section to the Political Code, to be numbered four thousand two hundred and fifty-nine, relating to the qualifications of District Attorneys.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Broderick, Campbell of Solano, Campbell of Siskiyou, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Seawell, Shippee, Simpson, Streeter, and Williams (Wm. H.)—25.
NOES—Mr. Bailey—1.

Title read and approved.

Assembly Bill No. 691—An Act to establish law libraries.

The bill having been read a third time on a previous day, the roll was called on its final passage, with the following result:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Carpenter, De Long, Denison, Flint, Goucher, Harp, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Welch, and Williams (Wm. H.)—22.
NOES—Mr. McGowan—1.

Title read and approved.

REPORT OF COMMITTEE ON CONFERENCE.

SENATE CHAMBER, SACRAMENTO, March 24, 1891.

MR. PRESIDENT: Your Committee on Conference concerning Assembly Bill No. 128—An Act to add an additional section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain a divorce, or to aid therein—report that we have met a like committee of the Assembly, consisting of Messrs. Dibble, Clark, and Robertson, and we report that the Conference Committee agreed upon and recommend that the Senate recede from its amendments to said bill.

McGOWAN,
McCOMAS,
MEAD,
Conference Committee.

Report adopted by the following vote:

AYES—Messrs. Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

SPECIAL FILE OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 611—An Act to amend section one thousand four hundred and thirty-one of the Code of Civil Procedure of California.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

Title read and approved.

Assembly Bill No. 348—An Act to amend section ninety-two of the Civil Code, and to add a new section to the Civil Code, to be designated as section one hundred and eight, concerning divorces.

On motion of Senator Hamill, the enacting clause of the bill was stricken out.

Assembly Bill No. 603—An Act to prevent the placing or keeping or leaving of married women in houses of prostitution, and to punish persons therefor.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Carpenter, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Heacock, Langford, Maher, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.
NOES—None.

Title read and approved.

Substitute for Assembly Bill No. 4—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and eighty-seven, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, and one thousand two hundred, and to repeal section one thousand one hundred and eighty-eight, and to add a new section, to be numbered one thousand two hundred and three of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, all relating to liens of mechanics and others.

Bill read first and second times.

On the question, "Shall the bill be read a third time?" the roll was called, and refused a third reading by the following vote:

AYES—Messrs. Bailey, Banks, Carpenter, Dargie, Denison, Heacock, Langford, Preston, and Ragsdale—9.
NOES—Messrs. Britt, Broderick, Byrnes, Dray, Everett, Flint, Goucher, Hamill, Harp, Maher, Mahoney, McGowan, Mead, Seawell, Shippee, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—20.

Assembly Bill No. 500—An Act to appropriate money to pay for the services of W. L. Wolfe, assistant at Los Angeles to the Commissioner of the Bureau of Labor Statistics.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Heacock, Langford, Maher, Mead, Seawell, Shippee, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—25.
NOES—Mr. Ragsdale—1.

Title read and approved.

Assembly Bill No. 736—An Act to amend an Act entitled "An Act to establish a Penal Code," approved March 12, 1885, by amending section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals.

Bill read first and second times.

Amendments by Senator De Long:

Amend by striking out of section one, line fourteen, the word "six" and inserting the following: "two."

Adopted.

Also: Amend by striking out of section one, line four, the words "tenth day of September" and insert the following: "the first day of October."

Adopted.

Amendment by Senator Mead:

Amend by striking out of section one, line eighteen, the word "six" and inserting the following: "two."

Adopted.

Bill ordered printed.

Assembly Bill No. 99—An Act requiring corporations and persons doing a banking business in this State to file with the Controller of State statements showing moneys on deposit with them to which no claims have been made within ten years, and authorizing the Attorney-General to institute proceedings to ascertain its ownership.

Bill read first and second times.

On the question, "Shall the bill be read the third time?" the roll was called, and it was refused a third reading by the following vote:

Ayes—Messrs. Campbell of Solano, Denison, Goucher, Harp, Maher, Welch, Williams (Wm. H.), and Williams (Geo. H.)—8.

Noes—Messrs. Bailey, Broderick, Byrnes, Carpenter, Dargie, De Long, Dray, Everett, Flint, Fraser, Hamill, Heacock, Langford, Mahoney, McComas, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, and Streeter—24.

President pro tem. Fraser in the chair.

Assembly Bill No. 583—An Act repealing sections seven hundred and seventy-eight, seven hundred and seventy-nine, seven hundred and eighty, seven hundred and eighty-one, and seven hundred and eighty-two of the Political Code, relating to the printing of reports of decisions of the Supreme Court.

Bill read first and second times, and passed temporarily.

Assembly Bill No. 78—An Act to provide compensation to G. B. Montgomery, for professional services rendered the State of California at the request of the Attorney-General.

Bill read first and second times.

Amendment by Senator Heacock:

That "one thousand five hundred dollars" be stricken out, and "one thousand dollars" inserted in lieu thereof.

Amendment lost.

Bill read third time, and finally passed by the following vote:

Ayes—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Maher, Mahoney, McComas, Mead, Seawell, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.

Noes—Messrs. Heacock, Ostrom, and Preston—3.

Title read and approved.

Assembly Bill No. 748—An Act to repeal an Act entitled "An Act to establish a State Board of Silk Culture, and to provide moneys for the expenses thereof," approved March 15, 1883, and all Acts and parts of Acts amendatory thereof and supplemental thereto; to abolish said Board, and to provide for the care of the State property under its charge.

Bill read first, second, and third times, and refused final passage by the following vote:

AYES—Messrs. Bailey, Banks, Campbell of Siskiyou, Carpenter, Dargie, Dray, Fraser, Heacock, Maher, McComas, Ostrom, Preston, Seawell, Shippee, Welch, and Williams (Wm. H.)—16.

NOES—Messrs. Byrnes, Everett, Goucher, Hamill, Harp, Mahoney, Mead, Simpson, Streeter, and Williams (Geo. H.)—10.

RESOLUTIONS—(OUT OF ORDER).

By Senator Bailey:

Resolved, That all officers and attachés of the Senate are hereby required to deliver to the Sergeant-at-Arms, all books, documents, stationery, keys, and all other property belonging to the State in their possession, before the final adjournment of the Senate.

Adopted.

Also:

Resolved, That the Sergeant-at-Arms of the Senate and his clerk be and they are hereby employed after the final adjournment of the Senate, for the purpose of completing the work devolved upon the Sergeant-at-Arms, turning over to the Secretary of State the books, papers, and personal property in his charge, closing up the accounts, and completing the labors of his office. And that they be allowed one week's extra pay therefor, payable out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrant for the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage, with instructions to report to-morrow.

CONSIDERATION OF ASSEMBLY BILL No. 583—(RESUMED).

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Mahoney, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Welch, and Williams (Geo. H.)—27.

NOES—Mr. Maher—1.

Title read and approved.

Senator Campbell of Siskiyou moved that the Senate now consider the Governor's messages.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 24, 1891.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 690.

H. H. MARKHAM, Governor.

Senator Heacock moved that the Senate proceed to consider Governor's messages.

Senator De Long moved to amend by making them a special order for this evening at seven o'clock and thirty minutes.

The roll was called, and Senator Heacock's motion lost by the following vote:

AYES—Messrs. Banks, Byrnes, Campbell of Solano, Dargie, Denison, Goucher, Hamill, Heacock, Langford, Mahoney, McComas, Preston, Shippee, and Williams (Wm. H.)—14.

NOES—Messrs. Bailey, Britt, Broderick, Campbell of Siskiyou, Carpenter, De Long, Everett, Flint, Harp, Maher, Ostrom, Ragsdale, Seawell, Simpson, Sprague, Streeter, Welch, and Williams (Geo. H.)—18.

Senator De Long's motion was then adopted.

RESOLUTION—(OUT OF ORDER).

By Senator Mahoney:

Resolved, That the Superintendent of State Printing be and he is hereby authorized and directed to print and deliver to the Sergeant-at-Arms of the Senate two hundred and fifty copies of Senate Bill No. 234 as passed.

Adopted.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 24, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following bills have been correctly enrolled:

Senate Bill No. 346—An Act to appropriate the sum of three thousand one hundred dollars to purchase adjacent lands at San Quentin for the use of the State Prison, together with the improvements thereon.

Also: Senate Bill No. 693—An Act ceding to the United States of America jurisdiction over lands in this State ceded to the United States.

Also: Senate Bill No. 442—An Act to amend section three and section thirteen of an Act entitled "An Act to promote drainage," approved March 18, 1885.

Also: Senate Bill No. 163—An Act to establish a naval battalion, to be attached to the National Guard of California.

Also: Senate Concurrent Resolution No. 7—Relative to notifying the Governor of the election of Chas. N. Felton to the Senate of the United States.

Also: Senate Joint Resolution No. 27—Relating to surveying and establishing the eastern boundary line of the State of California.

Also: Senate Concurrent Resolution No. 6—Relative to requesting the Governor to forward each member of the Legislature two bound volumes of State Engineer's reports.

Also: Senate Bill No. 293—An Act for the relief of John J. Conlin.

Also: Senate Bill No. 104—An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and for supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes.

Also: Senate Bill No. 561—An Act to extend the jurisdiction of the Board of State Harbor Commissioners over East Street, San Francisco.

Also: Senate Bill No. 243—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Also: Senate Bill No. 289—An Act to provide for the erection of additional buildings for the use of the State Normal School at San José, California, and making an appropriation therefor.

Also: Senate Bill No. 215—An Act to authorize the Board of Fish Commissioners of this State to purchase the land on which the State fish hatcheries at Sisson are now situated, and appropriating money therefor.

Also: Senate Bill No. 702—An Act for the relief of Colonel Jonathan D. Stevenson, and to appropriate money therefor.

Also: Senate Bill No. 638—An Act to amend section seven hundred and thirty-seven of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts of the City and County of San Francisco, and of the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Santa Cruz, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Tulare, Fresno, Solano, Contra Costa, Amador, San Bernardino, Kern, Placer, Humboldt, Marin, Mendocino, Tehama, El Dorado, Alpine, Stanislaus, Yolo, and Calaveras.

Also: Senate Bill No. 183—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote horticultural interests of the State,'" approved March 19, 1889.

Also: Senate Bill No. 163—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

URGENCY FILE.

Senate Bill No. 354—An Act for the regulation of the practice of medicine and surgery in this State, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Amendments by Senator Campbell:

In section six, line five, strike out the word "toxicology."

On roll call, the amendment was lost by the following vote:

AYES—Messrs. Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dray, Fraser, Heacock, McComas, and Ostrom—9.
NOES—Messrs. Bailey, Britt, Dargie, De Long, Denison, Everett, Flint, Goucher, Hamill, Harp, Preston, Ragsdale, Seawell, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—18.

Also: Section twelve, line sixty-three, after word "State" insert the following: "unless he is granted a certificate by unanimous consent of said Board."

Amendment lost.

Also: Section thirteen, line nine, after the word "paid," the following: "by the Treasurer."

Lost.

Also: Section one, line seven, after word "State" insert the following: "but that not more than four shall be appointed from any one school of medicine."

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Campbell of Solano, Dargie, Fraser, Heacock, Maher, McComas, McGowan, Ostrom, and Shippee—9.
NOES—Messrs. Bailey, Britt, Campbell of Siskiyou, Carpenter, Denison, Everett, Flint, Goucher, Hamill, Harp, Preston, Seawell, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—17.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Carpenter, Dargie, Denison, Everett, Flint, Goucher, Hamill, Harp, Maher, Preston, Seawell, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—21.
NOES—Messrs. Campbell of Solano, Dray, Fraser, Heacock, Mahoney, McComas, McGowan, Ostrom, and Shippee—9.

Title read and approved.

Senator Goucher moved that the investigating committee relative to the "waste-basket scandal" be sent for.

Lost.

Senator Goucher moved a call of the Senate.

Lost.

Senate Bill No. 686—An Act to legalize conveyances made to or by homestead associations and homestead corporations, after the expiration of the period for which such associations and corporations were formed, and to give surviving Directors power to settle the affairs of such corporations.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Britt, Campbell of Solano, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, Mead, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—22.
NOES—Mr. Carpenter—1.

Title read and approved.

Senator De Long moved to take up Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 3—An Act to amend section two thousand six hundred and eighty-eight of the Political Code of the State of California, concerning the hearing of the reports of viewers of public highways by Boards of Supervisors, and the manner, time, and place of hearing such report, and the method of giving notice of such time and place to non-consenting land owners, and concerning damages to be awarded on such hearing.

Also: Senate Bill No. 4—An Act to amend section two thousand six hundred and eighty-two of the Political Code of the State of California, in relation to the character of petitions to be presented for the purpose of altering, laying out, or constructing, or discontinuing, or abandoning of any public highway.

Also: Senate Bill No. 5—An Act to add a new section to the Political Code, to be numbered section two thousand six hundred and twenty-three, in relation to vacating public roads.

Also: Senate Bill No. 478—An Act making an appropriation to pay the Assistant Journal Clerks of the Senate, twenty-sixth session of the Legislature, for completing the Journal of the Senate.

Also: Senate Bill No. 601—An Act making an appropriation to pay the Journal Clerk of the Assembly for completing the Journal of the Assembly, twenty-sixth session of the Legislature.

Also: The Assembly herewith returns to your honorable body Assembly Bill No. 682, and requests your honorable body to reconsider the vote by which it was finally passed, for the purpose of having the bill correctly printed.

Also: Passed, as amended, Senate Bill No. 531—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Also: Passed substitute for Assembly Bill No. 238—An Act to license and define the duties of land surveyors, and to provide for a proper record of surveys.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Assembly Bill No. 238 ordered on file.

Senate Bills Nos. 3, 4, 5, 478, and 601 ordered to enrollment.

On motion of Senator Preston, Assembly Bill No. 685 was returned to printer for correction, and it was ordered that the Assembly be notified of the Senate's action.

Senator Simpson moved that the Senate concur in Assembly amendments to Senate Bill No. 531.

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Bailey, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Langford, Mahoney, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, and Williams (Wm. H.)—26.
NOES—None.

Assembly amendments to Senate Bill No. 531:

Amend title by adding the following: "and to appropriate money to pay the salary of additional deputy."

Also: Amend section two so as to read:

"The sum of four thousand and fifty dollars is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, to pay the salary of the additional deputy at Los Angeles for the forty-second and forty-third and forty-fourth fiscal years."

Also add to bill:

SEC. 3. This Act shall take effect from and after its passage.

Senator De Long moved that Assembly Bill No. 760 be referred to the Committee on Finance.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Senator Berry:

Resolved, That Senate Bill No. 704 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Mahoney, McComas, McGowan, Mead, Ostrom, Seawell, Shippee, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—31.
NOES—None.

Senate Bill No. 704—An Act appropriating money for the payment of salary, from March 24, 1891, to July 1, 1891, of the Deputy Attorney-General.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Berry, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Mahoney, Mead, Ostrom, Preston, Seawell, Shippee, Sprague, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—26.
NOES—None.

Title read and approved.

REPORT OF SPECIAL COMMITTEE.

To the Senate and Assembly of the State of California:

Your Joint Committee, consisting of three members of the Senate and five members of the Assembly, appointed by Concurrent Resolution No. 5 of the Senate and Assembly, and the amendments thereto, beg leave to report as follows:

That on the eighteenth day of March, 1891, at four o'clock P. M., the committee organized by electing Senator E. C. Voorhies Chairman and C. W. Freeman as Secretary; that on the evening of the same day the committee met in the Supreme Court room, in the Capitol building, and proceeded to investigate and put together the scraps of papers found in the State Library, and referred to in said concurrent resolution appointing said committee; that the committee has examined several witnesses, and has, so far as practicable, arranged the papers in readable form; and your committee finds from the testimony and papers the facts to be as follows:

That the papers referred to were found on the desk and floor, and in the waste basket in the private office of the State Librarian.

Your committee finds from undisputed evidence that among the papers so found were eleven strips of paper used for the purpose of wrapping or holding together packages of currency or paper money; that one of said wrappers had written upon it the figures "$2,000," and the testimony shows that it had contained two thousand dollars in currency; another wrapper had upon it the figures "1,000," and had contained one thousand dollars in currency; and the other nine wrappers each had upon them the figures "500," and each had contained five hundred dollars in currency, making a total of seven thousand five hundred dollars in all. Of this sum we find that five thousand nine hundred dollars in currency was shipped by the Fresno Loan and Savings Bank, on March 14, 1891, through Wells, Fargo & Company's Express, to the Crocker-Woolworth National Bank at San Francisco, and was remitted by said Fresno Loan and Savings Bank on its own account to be placed to its credit with the Crocker-Woolworth National Bank, and that said Fresno Loan and Savings Bank had no connection with depositing the wrappers for currency in Sacramento, and have done nothing in the premises other than tracing said money.

That the Crocker-Woolworth National Bank received said five thousand nine hundred dollars in currency between the hours of nine and ten o'clock A. M. on Monday, the sixteenth day of March, 1891, as shown by the testimony of the San Francisco agent of Wells, Fargo & Company's Express, and said money was by the bank turned over to its Paying Teller, O. B. Fogle, about one o'clock P. M. of that day; that on the same day, between the hours of one and three o'clock P. M., the said O. B. Fogle paid out said five thousand nine hundred dollars, together with one thousad six hundred dollars additional

in currency, in all seven thousand five hundred dollars, which currency at that time was held together and bound by the eleven strips of paper found in the office of the State Libarian on the next morning soon after ten o'clock A. M.; that said money was paid out by said Crocker-Woolworth National Bank to one John B. Jones, Collector in Treasurer's office of the Southern Pacific Company, upon a check signed by said company made payable to the Nevada Bank, and by said bank indorsed, and by said Jones brought to the Crocker-Woolworth National Bank, whereupon the Paying Teller of said Crocker-Woolworth National Bank paid the seven thousand five hundred dollars as aforesaid, to said John B. Jones.

That said money could not have left San Francisco for Sacramento earlier than the four-thirty o'clock train of that day, March 16, 1891; that the same was not sent by express; that said money could not have arrived in Sacramento before the train which arrived here at eight-forty P. M. of that day, and could not have arrived later than one A. M. of the seventeenth; that these papers being investigated by this Joint Committee and to be put in readable condition, were found in the State Library soon after ten-fifteen A. M. on the seventeenth day of March, 1891, and within thirteen hours of the time said currency and wrappers could have arrived at Sacramento from San Francisco.

From the evidence of Mrs. O'Hare, who is the Janitress in the State Librarian's office, and who testified that she emptied the waste basket that morning as is her usual custom, picked up all the loose papers in that room, and swore positively that she saw no papers on the floor or on the desk when she dusted the office between the hours of six and eight A. M. of that day, and we find this to be the fact:

That the papers referred to in this investigation were left in that private room between the hours of eight and ten o'clock and fifteen minutes A. M. of that day.

From the testimony before the committee, we find the following persons to have been in the private office of the Librarian a portion of the time between the hours of eight and ten o'clock and fifteen minutes A. M., of March 17, 1891, viz.:

Dana Perkins, Librarian, for a few moments.

W. S. Leake, Assistant Librarian, for a short time.

Assemblymen Dibble and Marion, for about forty-five minutes.

That during the time said private office was occupied by Assemblymen Dibble and Marion for about forty-five minutes, between nine and ten o'clock A. M. of that day, no other person was in the room with the exception of Mr. Leake for a few minutes; that Messrs. Dibble and Marion left the room about ten minutes before ten o'clock A. M.

That after Assemblymen Dibble and Marion departed, Mr. Leake and Mr. Perkins entered the room for the purpose of securing envelopes and stamps, and Mr. Perkins immediately left and Mr. Leake continued there until about the time Mr. Estee arrived, and Mr. Estee and Mr. Leake continued there until the scraps of paper were found a few minutes later.

That Mr. Leake, Mr. Estee, and Mr. Perkins each testified that they did not have in their possession any of said papers, except that Mr. Estee had in his possession the telegram which was received by him from Zollner that morning, and that M. M. Estee, Dana Perkins, W. S. Leake, and Assemblymen Dibble and Marion each testified that he did not know anything about the aforesaid strips of paper used for holding currency together.

That Assemblymen Dibble and Marion each stated that a portion of the papers found there containing the names of certain Assemblymen written on the brown manilla paper (not the strips covering the currency) were left there by them, and that the names were written by Mr. Dibble; but they each testified that they did not leave, or have in their possession, the strips of paper used for covering the currency aforesaid.

Your committee finds that a portion of the papers found in the State Library were left there by Assemblyman Dibble, and that the names on said papers were written by him.

Your committee has been unable to ascertain who carried the currency, if any, from San Francisco to Sacramento, or the wrappers of the currency from San Francisco to Sacramento, or how they became deposited in the Librarian's office on the morning of the seventeenth of March, 1891.

Your committee also finds that the strips of paper used for wrapping currency were delivered by the Paying Teller of the Crocker-Woolworth National Bank, as hereinbefore set forth, to John B. Jones, and at that time they were used for and were holding together currency; that said O. B. Fogle fully identifies each of said wrappers, but your committee is unable, so far, to ascertain what became of said currency, as your committee has not been able to find said John B. Jones or any other witness who will state or show by whom left there.

Your committee finds that the telegram from John F. Zollner to M. M. Estee was received by Mr. Estee on the morning of the seventeenth instant, and by him torn up and dropped on the floor of the private office of the Librarian, and when the papers were taken charge of by the Attorney-General this telegram was picked up and placed with the papers.

Your committee finds from the testimony taken, that there is nothing before your committee showing, or that would indicate, that the seven thousand five hundred dollars in currency, hereinbefore mentioned, was paid out or used in any manner to influence any member or members of the Legislature in reference to the Senatorial contest; that the candidates before the Legislature for United States Senator, together with those who were interested in their behalf, were examined, and their testimony shows that no money has been used in their behalf or with their knowledge or consent to secure their election as such United States Senator; and if the seven thousand five hundred dollars in cur-

rency has been improperly used before the Legislature, your committee is unable to state for what purpose it was used.

Your committee issued a subpœna for said Jones to the Sheriff of San Francisco, by telegraph, with a view of obtaining the attendance and testimony of said Jones, and a private detective was employed to ascertain the whereabouts of said Jones within two hours after it was known by the committee that said Jones had received said money from the bank, but up to this time neither said Sheriff nor the detective has been able to find said Jones at his home or elsewhere.

Your committee has been assisted very materially by the Attorney-General in the investigation which has been before us, and the committee hereby desires to acknowledge his services in this behalf.

Your committee has handed the original exhibits, as arranged by the committee, to the Lieutenant-Governor, the President of the Senate, and recommend that they be turned over to the Governor for such action as he may deem proper.

Your committee herewith presents all the testimony taken in this case, and presents the matter in this form, and that as the Legislature has fixed the time to adjourn for Wednesday, at twelve o'clock midnight, and as we are unable to procure any other witnesses before such adjournment, we deem it proper to report at this time for such action as your honorable body may see fit.

E. C. VOORHIES,
A. W. CRANDALL,
G. S. BERRY,
Senate Committee.
E. A. FREEMAN,
T. A. RICE,
E. G. CRAM,
H. P. STABLER,
GEO. A. WENTWORTH,
Assembly Committee.

Dated Sacramento, Cal., March 24, 1891, at four o'clock and forty-five minutes P. M.

Report adopted.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 24, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 567—An Act to amend section three hundred and nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to declaring dividends by Directors of corporations, and repealing section three hundred and nine of said Code.

Also: Senate Bill No. 198—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 24, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following bills have been correctly enrolled:

Senate Bill No. 564—An Act to declare the bridge across Feather River, extending from Fifth Street, at the city of Marysville, in the county of Yuba, to the opposite bank of said river, a free bridge.

Also: Senate Bill No. 51—An Act to amend an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, and to authorize the owners of lots in such cemeteries to transfer them by deed.

Also: Senate Bill No. 375—An Act authorizing the Attorney-General to dismiss those certain actions pending in the Superior Court of the City and County of San Francisco, and numbered eleven thousand seven hundred and six, eleven thousand nine hundred and twenty-five, and eleven thousand nine hundred and twenty-six, upon payment to him for the use of the State of certain moneys.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 24, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bill has been correctly engrossed: No. 670—An Act to amend "An Act to establish a Penal Code of the State of California," approved March 12, 1872, relating to lotteries.

RAGSDALE, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Bailey:

Resolved, That substitute for Assembly Bill No. 238 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Mahoney, McGowan, Mead, Ragsdale, Seawell, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—27.
NOES—None.

SPECIAL URGENCY CASE.

Substitute for Assembly Bill No. 238—An Act to define the duties of and to license land surveyors.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Dargie, Denison, Everett, Hamill, Maher, Mahoney, McComas, Ragsdale, Simpson, Sprague, Welch, Williams (Wm. H.), and Williams (Geo. H.)—21.
NOES—Messrs. Campbell of Siskiyou, Fraser, Goucher, Harp, Langford, McGowan, Mead, Ostrom, Preston, Seawell, and Shippee—11.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 23, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to pay the following bills as per vouchers:

Union Ice Company, for ice furnished	$37 50
Paris Laundry, for washing towels during the session	20 00
H. S. Crocker & Co., for one tin cash box	2 25
A. S. Hopkins & Bro., for one blanket to keep ice in	3 00

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BYRNES, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Everett, Fraser, Hamill, Harp, Mahoney, Preston, Ragsdale, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—21.
NOES—None.

RESOLUTION—(OUT OF ORDER).

By Senator Mahoney:

Resolved, That Assembly Bill No. 193 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Byrnes, Carpenter, Crandall, Denison, Dray, Everett, Fraser, Gouchier, Hamill, Harp, Maher, Mahoney, McComas, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.

NOES—Messrs. Campbell of Siskiyou, McGowan, and Mead—3.

RECESS.

At five o'clock and thirty-five minutes P. M. the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled. Hon. Thomas Fraser, President pro tem. of the Senate, in the chair. Roll called, and the following Senators answered to their names:

Messrs. Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Fraser, Hamill, Harp, Maher, Mahoney, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Wilson.

Quorum present.

RESOLUTION.

By Senator Maher:

Resolved, That the sum of three hundred dollars be and is hereby directed to be paid to the Secretary of the Senate out of the appropriation for the contingent expenses of the Senate, and the Controller is hereby directed to draw his warrant for said sum upon the appropriation for the contingent expenses of the Senate. Said sum to be distributed by said Secretary to himself and to such persons who have performed and are now performing labor and rendering services in compiling the Weekly History of Senate Bills, Constitutional Amendments, and Joint Resolutions; be it further

Resolved, That the person having such history in charge be and he is hereby directed and instructed to remain over at the State Capitol after adjournment of the twenty ninth session of the Legislature sine die for a period of ten days, for the purpose of making a complete and final copy of the Senate Weekly History; and after the same is finally printed he shall mail to each member of the Assembly and Senate five copies thereof—one of which shall be bound in pasteboard cover.

For the purpose of carrying out the requirements of this resolution, the Superintendent of State Printing is hereby directed to print eight hundred copies of such final history, one hundred and fifty copies of which shall be bound in pasteboard covers.

The Controller of State is hereby directed to draw his warrant for the sum of thirty ($30) dollars in favor of said Secretary, payable out of the appropriation for the contingent expenses of the Senate, for the purpose of paying the necessary postage upon such final history.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, De Long, Denison, Dray, Everett, Hamill, Harp, Maher, Mahoney, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Wilson—24.

NOES—None.

Senator De Long moved that the Senate now consider nominations by the Governor.

So ordered.

NOMINATIONS BY THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate E. L. Stern, of the county of Los Angeles, to the office of Trustee of the Reform School for Juvenile Offenders, to succeed Josiah Sims, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.
NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate John W. Coleman, of the county of Alameda, to the office of Trustee of the Deaf, Dumb, and Blind Asylum, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Dray, Everett, Flint, Fraser, Hamill, Harp, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.
NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate John K. McLean, of the county of Alameda, to the office of Trustee of the Deaf, Dumb, and Blind Asylum, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Harp, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—30.
NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate W. C. Bartlett, of the county of Alameda, to the office of Trustee of the Deaf, Dumb, and Blind Asylum, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Shippee, Simpson, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—29.
NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate George C. Perkins, of the county of Alameda, to the office of Trustee of the Deaf, Dumb, and Blind Asylum, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, Mead, Preston, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—30.
NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate Jacob H. Neff, of the county of Placer, to the office of State Prison Director, to succeed Joseph Craig, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Langford, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—32.
NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate B. J. Watson, of the county of Nevada, to the office of Port Warden for the Port of San Francisco, to succeed Otto Luders, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—32.
NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate Andrew J. Martin, of the City and County of San Francisco, to the office of Port Warden for the Port of San Francisco, to succeed George Wilson, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp,

Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—33.

NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate John W. Gage, of the county of Alameda, to the office of Port Warden for the Port of San Francisco, to succeed Charles B. Smith, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Everett, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—33.

NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate C. A. Ruggles, of the county of San Joaquin, to the office of Member of the State Board of Health, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—31.

NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate W. R. Cluness, of the county of Sacramento, to the office of Member of the State Board of Health, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—31.

NOES—None.

RESOLUTION—(OUT OF ORDER).

By Senator De Long:

Resolved, That Assembly Bill No. 760 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times upon one day, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—33.
NOES—None.

NOMINATIONS BY THE GOVERNOR—(RESUMED).

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate W. G. Cochran, of the county of Los Angeles, to the office of Member of the State Board of Health, to succeed H. S. Orme, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Geo. H.), and Wilson—30.
NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate J. R. Laine, of the county of Sacramento, to the office of Member of the State Board of Health, to succeed G. G. Tyrrell, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Crandall, Dargie, Denison, Everett, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—29.
NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate P. C. Remondino, of the county of San Diego, to the office of Member of the State Board of Health, to succeed James Simpson, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—33.
NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate C. W. Nutting, of the county of Siskiyou, to the office of Member of the State Board of Health, to succeed J. M. Briceland, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Langford, Maher, Mahoney, McGowan, Mead, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—30.
NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate Julius Rosenstein, of the City and County of San Francisco, to the office of Member of the State Board of Health, to succeed R. Beverly Cole, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Everett, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—31.
NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate James A. Waymire, of the county of Alameda, to the office of Regent of the University of California, to succeed John L. Beard, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Langford, Maher, Mahoney, McComas, Ostrom, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—31.
NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate A. S. Halladie, of the county of Alameda, to the office of Regent of the University of California, to succeed himself, and respectfully request your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher,

Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—34.
NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 23, 1891.

To the Senate of the State of California:

I hereby nominate William Young, of the City and County of San Francisco, to the office of Pilot Commissioner for San Francisco, Mare Island, and Benicia, to succeed Philip Caduc, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Preston, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—30.
NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 24, 1891.

To the Senate of the State of California:

I hereby nominate Alden Y. Trask, of the City and County of San Francisco, to the office of Pilot Commissioner for San Francisco, Mare Island, and Benicia, to succeed Martin Bulger, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—33.
NOES—None.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 24, 1891.

To the Senate of the State of California:

I hereby nominate J. H. Barbour, of the county of San Diego, to the office of Harbor Commissioner for the Bay of San Diego, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Senate advised and consented to the above nomination by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Shippee, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—31.
NOES—None.

CASE OF URGENCY.

Assembly Bill No. 193—An Act to amend section six and to repeal section sixty-three of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraud-

ulent debtors," approved April 16, 1880, relating to the appointment of receivers, and the care and disposition of the property of insolvent debtors during the pendency of insolvency proceedings, and before the election of an assignee.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Siskiyou, Dargie, De Long, Denison, Everett, Fraser, Goucher, Hamill, Maher, Mahoney, Preston, Ragsdale, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.) -21.

NOES—Messrs. Berry, Crandall, Dray, Langford, McComas, McGowan, Ostrom, and Wilson—8.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 24, 1891.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 760—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

DE LONG, Chairman.

Assembly Bill No. 760—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes.

Bill read first and second times.

Committee amendments, as follows:

Amend by striking out of section one, line fifteen, the words: "two million five hundred and one thousand two hundred and eighty-six dollars," and inserting the following: "two million eight hundred and thirty-one thousand nine hundred and sixty-four dollars."

Adopted.

Also: Amend by striking out of section one, line seventeen, the words "one million nine hundred and thirty-three thousand one hundred and seventy-four dollars," and inserting the following: "one million nine hundred and sixty-six thousand one hundred and seventy-four dollars."

Adopted.

Also: Amend by striking out of section one, line nine, the words "one million nine hundred and thirty-three thousand one hundred and seventy-four dollars," and inserting the following: "one million nine hundred and ninety-six thousand one hundred and seventy-four dollars."

Adopted.

By Senator Seawell:

Amend by striking out of section one, line twelve, in the word "Assylum," strike out one "s."

Adopted.

By committee:

Amend by striking out of section one, line eight, the words "two million five hundred thousand and eighty-six dollars," and inserting the following: "two million six hundred and ninety-seven thousand six hundred and seventy-four dollars."

Adopted.

Bill ordered printed as amended.

MOTION.

Senator De Long moved to take up Assembly messages.
So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted the Conference Committee report on Assembly Bill No. 129.

Also: Passed Senate Bill No. 391—An Act to provide for the payment of the Controller of State's warrants which have been lost or destroyed previous to payment by the State Treasurer.

Also: Senate Bill No. 124—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justice's Courts.

Also: Passed Senate Bill No. 120—An Act to amend section one hundred and seventy-two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the husband's control and disposition of the community property.

Also: Senate Bill No. 342—An Act to provide for the appointment of a guardian for the Marshall monument and grounds, prescribing his duties, and appropriating money therefor.

Also: Senate Bill No. 135—An Act to amend sections one thousand three hundred and five, one thousand three hundred and seventy-three, one thousand five hundred and fifty-two, one thousand six hundred and thirty-three, and one thousand six hundred and thirty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Also: Substitute for Senate Bill No. 492—An Act to amend an Act entitled "An Act to provide for the building and furnishing of the Home for Soldiers' Widows and Orphans, and Army Nurses, and for the State to inquire into the management of such institution, by a uniform rule proportioned to the number of inmates in said institution, for the management of the same, and for the support of indigent persons residing in the said Home," approved March 16, 1889.

Also: Senate Bill No. 454—An Act to amend section two hundred and fifty-six of the Political Code of the State of California, to provide for the printing of the daily Journal of each House of the Legislature, and to repeal section two hundred and fifty-seven of said Code.

Also: Senate Bill No. 455—An Act adding a new section to the Political Code of the State of California, to be known and designated as section five hundred and thirty-nine, relative to the engrossment and enrollment of bills and other documents, and repealing sections two hundred and forty-eight and two hundred and forty-nine of said Code.

Also: Senate Bill No. 200—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuation of administration upon the estates of deceased persons.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Senate Bills Nos. 391, 124, 120, 342, 135, substitute for Senate Bill No. 492, Senate Bills Nos. 454, 455, and 200 ordered to enrollment.

MOTION.

Senator Hamill moved to adjourn.
The roll was called, and the motion adopted by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Brynes, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Goucher, Hamill, Harp, Maher, Mahoney, Seawell, Shippee, Streeter, Voorhies, Welch, and Williams (Wm. H.)—23.

NOES—Messrs. Berry, Campbell of Siskiyou, Carpenter, Dray, Langford, McGowan, Mead, Ostrom, Preston, Ragsdale, and Williams (Geo. H.)—11.

ADJOURNMENT.

At eight o'clock and forty minutes P. M. the Senate stood adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, March 25, 1891.

Senate met pursuant to adjournment.

Hon. Thos. Fraser, President pro tem. of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

READING OF JOURNAL.

On motion of Senator Goucher, reading of the Journal was dispensed with.

RESOLUTIONS.

By Senator Goucher:

WHEREAS, The members of this Senate, having noted with pride the attainments of mind and the qualities of heart exhibited by our worthy Chaplain; and whereas, we deem it appropriate, on the eve of our separation, to record our high opinion of him; therefore, be it

Resolved, That we recognize in the Rev. J. A. Bruner a pure-minded and noble-hearted Christian gentleman, and a sincere but modest teacher of moral principles.

Resolved, That we are mindful of the able manner in which he has discharged his duties as an officer of this Senate, and we proudly render our acknowledgments for the same.

Resolved, That in departing for our homes, we shall carry with us an undying hope that our Chaplain may ever have the best blessings that attend upon a good and model life.

Resolved, That these resolutions be spread upon the Journal, and that an engrossed copy hereof be delivered to the Rev. J. A. Bruner.

On motion of Senator G. H. Williams, the resolution was adopted and ordered printed in the Journal and an engrossed copy sent to the Rev. J. A. Bruner.

By Senator Seawell:

WHEREAS, Upon the second day of March, 1891, this Legislature received official notice from the Governor of the death of the Hon. George Hearst, late United States Senator from California; and whereas, it was incumbent upon the Legislature to elect his successor on the second Tuesday following said notification; therefore, be it

Resolved, That the Controller be directed to draw his warrants upon the Contingent Fund of the Senate in favor of the Senators of this Legislature for eight days, as their lawful per diem while engaged in electing a United States Senator, and that the Treasurer be directed to pay the same.

Referred to the Attorney-General for his opinion as to the legality of the proposed action.

By Senator Heacock:

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California does most heartily indorse the action of the Hon. Leland Stanford, Senator of the State of California, in the Congress of the United States, in his support of Senate Bill No. 4675, during the second session of the Fifty-first Congress, a copy of which bill is hereunto attached:

Senate Bill No. 4675—An Act to provide a unit of value and for the coinage of gold and silver, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of the passage of this Act the unit of value in the United States shall be the dollar, and the same may be coined of four hundred and twelve and one half grains of standard silver, or of twenty-five and eight one hundredths grains of standard gold; and the said coin shall be legal tender for all

debts, public and private. That hereafter any owner of silver or gold bullion may deposit the same at any mint of the United States, to be formed into standard dollars or bars for his benefit, and without charge; but it shall be lawful to refuse any deposit of less value than one hundred dollars, or any bullion so base as to be unsuitable for the operations of the mint.

SEC. 2. That the provision of section three of "An Act to authorize the coinage of the standard silver dollar and to restore its legal tender character," which became a law February twenty-eighth, eighteen hundred and seventy-eight, is hereby made applicable to the coinage in this Act provided for.

SEC. 3. That the certificates provided for in the second section of this Act shall be of denominations of not less than one nor more than one hundred dollars, and such certificates shall be redeemable in coin of standard value. A sufficient sum to carry out the provisions of this Act is hereby appropriated out of any money in the Treasury not otherwise appropriated. So much of the Act of July fourteenth, eighteen hundred and ninety, entitled "An Act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes," as requires the purchase of four million five hundred thousand ounces of silver bullion per month, be and the same is hereby repealed.

SEC. 4. That the certificates provided for in this Act and all silver and gold certificates already issued shall be receivable for all taxes and dues to the United States of every description, and shall be a legal tender for the payment of all debts, public and private.

SEC. 5. That the owners of bullion deposited for coinage shall have the option to receive coin or its equivalent in the certificates provided for in this Act, and such bullion shall be subsequently coined.

Passed the Senate January 14, 1891.

Adopted.

REQUEST.

Senator De Long asked leave to withhold Assembly Bill No. 760 from the printer, for the purpose of making further amendments.

Granted.

Hon. J. B. Reddick, President of the Senate, in the chair.

Amendments by Senator De Long to Assembly Bill No. 760:

Amend by striking out of section one, line eight, the words "two million six hundred and ninety-seven thousand six hundred and seventy-four," and inserting the following: "two million six hundred and twenty-two thousand six hundred and seventy-four dollars."

Adopted.

Also: Amend by striking out of section one, line eight, the words "two million eight hundred and thirty-one thousand nine hundred and sixty-four," and inserting the following: "two million seven hundred and fifty-six thousand nine hundred and sixty-four dollars."

Adopted.

Bill ordered printed.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: Your committee to whom was referred the following resolution by Senator Goucher:

WHEREAS, The office of Journal Clerk of the Senate has been overcrowded with work; and whereas, it will require some twenty-five days after the adjournment of this body to complete the Journal of the Senate; therefore; be it

Resolved, That the Journal Clerk, Francis A. Rossi, and Assistant Journal Clerks, J. McNulty, E. A. Davis, and M. F. Dillon, be and they are hereby allowed the same per diem as allowed during the session of this body, for the said twenty-five days, payable out of the appropriation for the contingent expenses of the Senate, and the Controller is hereby authorized and directed to draw his warrants in favor of said Journal Clerk and assistants, and the Treasurer is hereby directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass, under the express condition and stipulation that the sum above named shall be in full compensation for all services in properly completing the Journal of this Senate for the twenty-ninth session of the Legislature of the State of California.

OSTROM,
HEACOCK,
Committee.

The roll was called and the resolution lost, in accordance with rule nineteen of the standing rules of the Senate, by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Denison, Dray, Everett, Goucher, Hamill, Heacock, Maher, McComas, Ostrom, Preston, Shippee, Simpson, Sprague, Streeter, Welch, and Wilson—24.
NOES—Messrs. Carpenter and Voorhies—2.

RESOLUTION.

By Senator Goucher:

Resolved by the Senate, the Assembly concurring, That No. 19 of the Joint Rules be and the same is hereby suspended for the present day.

Senator Goucher demanded a roll call.

Senator McGowan raised the point of order that the Chair had decided the vote.

The Chair ruled the point of order well taken.

Senator Goucher appealed from the decision of the Chair.

On the question, "Shall the decision of the Chair stand as the decision of the Senate?" the roll was called, and the Chair sustained by the following vote:

AYES—Messrs. Bailey, Banks, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Heacock, Maher, Mahoney, McComas, McGowan, Preston, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Williams (Geo. H.)—22.
NOES—Messrs. Berry, Broderick, Campbell of Solano, Goucher, Hamill, Harp, Mead, Ostrom, Welch, and Wilson—10.

APPOINTMENT OF COMMITTEE.

On motion of Senator Ostrom, the Chair appointed a special committee of three to inquire into the report of the committee relative to paying the Journal Clerks for completing the Journal after the session. The committee consisted of Senators Carpenter, Harp, and Voorhies.

Resolution withheld pending the report of committee.

RESOLUTIONS.

By Senator Hamill:

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California does most heartily indorse the action of the Hon. Leland Stanford, Senator of the State of California in Congress of the United States, in his opposition to the so called "Force Bill."

Referred to Committee on Federal Relations and Immigration.

By Mr. Wilson:

Resolved, That Senate Bill No. 589 presents a case of urgency, as that term is used in section fifteen, of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times upon one day, and placed upon its passage.

Roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Banks, Berry, Byrnes, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Goucher, Harp, Heacock, Langford, Maher, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Geo. H.), and Wilson—29.
NOES—Messrs. Bailey and Crandall—2.

MOTION.

Senator Goucher moved that the final vote be taken on Assembly Bill No. 685.

So ordered.

Assembly Bill No. 685—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, De Long, Denison, Dray, Everett, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, and Wilson—32.

NOES—None.

Title read and approved.

CASE OF URGENCY.

Assembly Bill No. 589—An Act to amend sections three thousand four hundred and fifty-four and three thousand four hundred and fifty-five of the Political Code of this State, relating to the powers and duties of Boards of Trustees of reclamation districts formed for the reclamation of swamp and overflowed lands.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Campbell of Solano, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Everett, Fraser, Harp, Heacock, Langford, McComas McGowan, Mead, Ragsdale, Shippee, Sprague, Streeter, Voorhies, Williams (Wm. H.), Williams (Geo. H.), and Wilson—24.

NOES—None.

Title read and approved.

MOTION.

Senator De Long moved to suspend the rules and consider all bills on Assembly file.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Heacock, Langford, Maher, Mahoney, Mead, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Geo. H.), and Wilson—29.

NOES—None.

SPECIAL FILE OF ASSEMBLY BILLS.

Assembly Bill No. 736—An Act to amend an Act entitled "An Act to establish a Penal Code," approved March 12, 1885, by amending section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals.

Bill read third time, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Byrnes, Crandall, Dargie, De Long, Denison, Everett, Fraser, Heacock, Langford, McComas, McGowan, Mead, Ostrom, Ragsdale, Seawell, Shippee, Streeter, Williams (Wm. H.), Williams (Geo. H.), and Wilson—22.
NOES—None.

Title read and approved.

MOTION.

On motion of Senator De Long, Assembly messages were ordered considered as fast as received.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 528—An Act making an appropriation to pay the claim of John Mullan for his commission on money collected by him from the United States on account of Indian war claims, and paid to the State of California.

Also: Agreed to and adopted the report of the Free Conference Committee upon Assembly Bill No. 87, and in accordance therewith passed the substitute as reported by the Free Conference Committee, as follows:

Assembly Bill No. 87—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety-seven, three thousand eight hundred, three thousand eight hundred and sixteen, and three thousand eight hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

H. A. MASON, Chief Clerk.
By E. P. BEATON, Assistant.

Assembly Bill No. 87 ordered on file.
Senate Bill No. 528 ordered to enrollment.

SPECIAL FILE OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 501—An Act to amend "An Act to establish a Civil Code," approved March 21, 1872, by adding two new sections thereto, to be numbered one thousand eight hundred and fifty-six and one thousand eight hundred and fifty-seven, relating to the lien of depositaries for hire.

Bill read first, second, and third times, and refused final passage by the following vote:

AYES—Messrs. Banks, Berry, Byrnes, Campbell of Siskiyou, Carpenter, Denison, Dray, Everett, Flint, Harp, McComas, Ostrom, Ragsdale, Seawell, Shippee, Streeter, Williams (Wm. H.), Williams (Geo. H.), and Wilson—19.
NOES—Mr. Hamill—1.

RESOLUTION.

By Senator Streeter:

Resolved, That Assembly Bills Nos. 507, 555, 759, 260, 740, and 87 present a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Banks, Berry, Byrnes, Campbell of Siskiyou, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Heacock, Langford, McComas, McGowan, Mead, Preston, Ragsdale, Seawell, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—27.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 55—An Act to appropriate money to pay the claim of Enoch N. Strout, for services rendered as Reclamation Land Commissioner, under "An Act to provide for the funding of the indebtedness of the reclamation and levee districts of this State," approved March 30, 1872.

H. A. MASON, Chief Clerk.
By ED. J. SMITH, Assistant.

Senate Bill No. 55 ordered to enrollment.

SPECIAL FILE OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 507—An Act to prevent destruction by fire of property of contiguous owners.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Byrnes, Campbell of Solano, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Fraser, Heacock, Langford, McComas, McGowan, Preston, Ragsdale, Streeter, Voorhies, Williams (Wm. H.), and Williams (Geo. H.)—21.
NOES—Mr. Mahoney—1.

Title read and approved.

Assembly Bill No. 555—An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Byrnes, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Maher, McGowan, Mead, Seawell, Shippee, Sprague, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—26.
NOES—Messrs. Campbell of Solano, Campbell of Siskiyou, and Preston—3.

Title read and approved.

On motion of Senator Carpenter, the final vote was taken on Assembly Bill No. 87.

Assembly Bill No. 87—An Act to amend sections three thousand six hundred and sixty-five, three thousand six hundred and sixty-six, three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, three thousand six hundred and seventy, three thousand six hundred and seventy-two, three thousand six hundred and ninety-two, three thousand six hundred and ninety-six, three thousand seven hundred and fourteen, three thousand seven hundred and twenty-eight, three thousand seven hundred and thirty-two, three thousand seven hundred and forty-six, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, and three thousand seven hundred and sixty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Byrnes, Campbell of Solano, Carpenter, Dargie, De Long, Denison, Dray, Flint, Goucher, Heacock, Langford, McGowan, Ostrom, Seawell, Shippee, Simpson, Sprague, Streeter, and Williams (Wm. H.)—21.
NOES—Messrs. Banks, Everett, Maher, and Williams (Geo. H.)—4.

Title read and approved.

Assembly Bill No. 759—An Act to appropriate the sum of five thousand dollars for the benefit of the sufferers from the Tia Juana flood of the twenty-second day of February, 1891, and to provide for its payment to the Board of Supervisors of San Diego County, and its distribution to the sufferers.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Banks, Byrnes, De Long, Dray, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Preston, Seawell, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—23.
NOES—None.

Title read and approved.

On motion of Senator De Long, Assembly Bill No. 760 was taken up.

Assembly Bill No. 760—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Britt, Byrnes, Crandall, Dargie, DeLong, Dray, Fraser, Goucher, Hamill, Harp, Langford, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Williams (Wm. H.), and Williams (Geo. H.)—25.
NOES—None.

Title read and approved.

Assembly Bill No. 260—An Act to add a section to the Political Code, to be known as section two thousand nine hundred and eighty-three, relating to public asylums and hospitals.

Bill read first and second times, and there being an error in the title, on motion of Senator Maher it was ordered stricken from the file.

Assembly Bill No. 740—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the State Controller.

Bill read first, second, and third times, and finally passed by the following vote.

AYES—Messrs. Banks, Berry, Byrnes, Campbell of Solano, Campbell of Siskiyou, Dargie, Denison, Dray, Everett, Flint, Fraser, Goucher, Harp, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Streeter, Welch, Williams (Geo. H), and Wilson—26.
NOES—None.

Title read and approved.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 685—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five,

two thousand six hundred and forty-six, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder.

Also: This day concurred in Senate amendments to Assembly Bill No. 736—An Act to amend an Act entitled "An Act to establish a Penal Code," approved March 12, 1885, by amending section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals.

H. A. MASON, Chief Clerk.
By Ed. J. Smith, Assistant Clerk.

RESOLUTION.

By Senator Preston:

Whereas, The Senate and Assembly did, on the eighteenth day of March, 1891, adopt a resolution known as "Concurrent Resolution No. 5," with the amendments thereto; and whereas, the joint committee which was appointed in accordance and with the aforesaid resolution has reported to the Senate and Assembly the results of its investigations, and filed with the Lieutenant-Governor the documentary evidence in the case; and whereas, the nature of the evidence is of such a character as to warrant further inquiry: therefore,

Resolved, That the Attorney-General be and that he is hereby requested to cause the evidence and a copy of the joint committee's report to be presented to the Grand Jury of Sacramento County, with the request that said Grand Jury make a thorough examination into all the circumstances connected with the case.

MOTIONS.

Senator Preston moved the adoption of the resolution.

Senator Carpenter moved to amend by referring to the Judiciary Committee.

The roll was called, and the amendment adopted by the following vote:

Ayes—Messrs. Bailey, Banks, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Everett, Flint, Fraser, Harp, Maher, Mahoney, Ragsdale, Seawell, Shippee, Simpson, Sprague, and Streeter—21.

Noes—Messrs. Berry, Britt, Campbell of Solano, Dray, Goucher, Hamill, Heacock, Langford, McComas, McGowan, Mead, Ostrom, Preston, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—17.

CALL OF THE SENATE.

Before the announcement of the previous vote, Senator Preston moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

On motion of Senator Goucher, further proceedings under call of the Senate were dispensed with.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

Senate Chamber, Sacramento, March 25, 1891.

Mr. President: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bill has been correctly engrossed:

Senate Bill No. 354—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 516—An Act to enable the Coulterville and Yosemite Turnpike Company, a corporation, to sue the State of California for the loss and damage suffered and sustained by said corporation, by the construction of a road by the Yosemite Turnpike Road Company, under and by virtue of an Act of the Legislature of the State of California entitled "An Act granting the right of way to the Yosemite Turnpike Road Company over the Yosemite Grant," approved February 17, 1874, and for the relief of said Coulterville and Yosemite Turnpike Company.

Senate Bill No. 431—An Act to amend section twelve hundred and seventeen, twelve hundred and twenty, twelve hundred and twenty-one, twelve hundred and twenty-three, twelve hundred and twenty-four, twelve hundred and twenty-five, twelve hundred and twenty-six, twelve hundred and twenty-seven, twelve hundred and twenty-nine, and twelve hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to execution of judgments of death.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

RECESS.

The hour for recess having arrived, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. Thos. Fraser, President pro tem. of the Senate, in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 478—An Act making an appropriation to pay the Assistant Journal Clerks of the Senate (twenty-sixth session of the Legislature), for completing the Journal of the Senate.

Senate Bill No. 601—An Act making an appropriation to pay the Journal Clerk of the Assembly for completing the Journal of the Assembly (twenty-sixth session of the Legislature).

Senate Bill No. 456—An Act to amend section one thousand and ninety-six of the Political Code of the State of California, in relation to registration of voters.

Senate Bill No. 699—An Act to provide a salary for the Keeper of the Archives in the office of the Secretary of State, for the balance of the forty-second fiscal year.

Senate Bill No. 334—An Act to encourage the cultivation of ramie in the State of California, to provide a bounty for ramie fiber, and to make an appropriation therefor; to appoint a State Superintendent of Ramie Culture, and make an appropriation for his salary.

Senate Bill No. 432—An Act fixing a bounty on coyote scalps.

Senate Bill No. 256—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Senate Bill No. 167—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, and to add a new section thereto, to be known as section two hundred and eighteen, relating to train wrecking and the punishment thereof.

Senate Bill No. 700—An Act appropriating money to pay the salary of phonographic reporter in the Attorney-General's office, from the first of April to the first of July, 1891.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Mead:

Resolved, That Senate Bill No. 465 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Simpson, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—30.

NOES—None.

CASE OF URGENCY.

Senate Bill No. 465—An Act to appropriate money for the payment of the unpaid salary of the Deputy Reporter of the Decisions of the Supreme Court, for three months of the fortieth fiscal year.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Denison, Everett, Fraser, Goucher, Hamill, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—28.

NOES—None.

Title read and approved.

RECONSIDERATION OF VOTE.

Senator Hamill moved that the rules be temporarily suspended and the Senate proceed to reconsider the vote by which Assembly Bill No. 501 was refused final passage this morning.

The roll was called, and the rules temporarily suspended by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Heacock, Langford, Maher, McComas, McGowan, Mead, Ostrom, Ragsdale, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—28.

NOES—Mr. Mahoney—1.

Assembly Bill No. 501—An Act to amend "An Act to establish a Civil Code," approved March 21, 1872, by adding two new sections thereto, to be numbered one thousand eight hundred and fifty-six and one thousand eight hundred and fifty-seven, relating to the lein of depositaries for hire.

The roll was called on the final passage of the bill, and it was passed by the following vote:

AYES—Messrs. Banks, Berry, Britt, Broderick, Campbell of Solano, Carpenter, Dargie, De Long, Denison, Dray, Fraser, Goucher, Hamill, Heacock, Maher, Mahoney, McGowan, Ostrom, Sprague, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—24.

NOES—Mr. Preston—1.

Title read and approved.

MOTIONS.

Senator Preston moved that the Judiciary Committee be instructed to report on the resolution relative to the "waste-basket scandal" at three o'clock and thirty minutes this afternoon.

Senator Carpenter moved to amend by making it seven o'clock and thirty minutes this evening.

The roll was called on Senator Preston's motion, and it was carried by the following vote:

AYES—Messrs. Berry, Campbell of Solano, Campbell of Siskiyou, Dargie, Dray, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Streeter, Williams (Wm. H.), and Wilson—19.

NOES—Messrs. Banks, Britt, Broderick, Carpenter, De Long, Flint, Goucher, Hamill, Harp, Voorhies, and Williams (Geo. H.)—10.

Senator Preston moved to take a recess until three o'clock and thirty minutes P. M.

Senator Hamill moved to amend by making it seven o'clock and thirty minutes P. M.

The roll was called, and the motion of Senator Preston lost by the following vote:

AYES—Messrs. Berry, Campbell of Solano, Campbell of Siskiyou, Crandall, De Long, Dray, Fraser, Heacock, Mahoney, McComas, Mead, Ostrom, Preston, Seawell, and Shippee—14.

NOES—Messrs. Bailey, Banks, Britt, Broderick, Carpenter, Dargie, Denison, Everett, Flint, Goucher, Hamill, Harp, Maher, McGowan, Welch, Williams (Wm. H.), and Wilson—17.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 760—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes.

H. A. MASON, Chief Clerk.
By E. P. BEATON, Assistant.

MOTIONS.

Senator Hamill moved to adjourn until seven o'clock and thirty minutes P. M.

Senator Preston moved to amend by making the time four o'clock P. M.

Motion lost by the following vote:

AYES—Messrs. Berry, Campbell of Solano, Campbell of Siskiyou, Crandall, Dray, Fraser, Heacock, Mahoney, McGowan, Mead, Ostrom, Preston, Seawell, Shippee, Sprague, and Wilson—16.

NOES—Messrs. Banks, Britt, Broderick, Byrnes, Carpenter, Dargie, Denison, Everett, Flint, Goucher, Hamill, Harp, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.)—16.

Senator Dray moved to amend Senator Hamill's motion by making the time three o'clock and forty minutes P. M.

The motion prevailed.

RECESS.

At three o'clock P. M. the Senate took a recess until three o'clock and forty minutes P. M.

REASSEMBLED.

At three o'clock and forty minutes P. M. the Senate reassembled. Hon. Thos. Fraser, President pro tem. of the Senate, in the chair. The roll was called, and the following Senators answered to their names:

Messrs. Banks, Berry, Broderick, Byrnes, Campbell of Siskiyou, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Hamill, Harp, Heacock, Langford, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

RESOLUTION.

By Senator Denison:

Resolved, That George H. Dunlap be allowed pay for the period of seven days from and after the date of the final adjournment of the twenty-ninth session of the Legislature, at the same per diem which he is now receiving, for services to be rendered by him in receiving and taking mail to and from the Post Office after such adjournment. And the Controller is hereby authorized and directed to draw his warrant upon the Treasurer in favor of said George H. Dunlap, for said seven days' pay, and the Treasurer is hereby directed to pay the same.

The roll was called, and resolution lost by the following vote:

AYES—None.
NOES—Messrs. Bailey, Berry, Britt, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Everett, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Ostrom, Preston, Ragsdale, Seawell, Shippee, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—28.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolutions:

Resolved, That all officers and attachés of the Senate are hereby required to deliver to the Sergeant-at-Arms, all books, documents, stationery, keys, and all other property belonging to the State in their possession, before the final adjournment of the Senate.

Also:

Resolved, That the Sergeant-at-Arms of the Senate and his clerk be and they are hereby employed after the final adjournment of the Senate, for the purpose of completing the work devolved upon the Sergeant-at-Arms, turning over to the Secretary of State the books, papers, and personal property in his charge, closing up the accounts, and completing the labors of his office. And that they be allowed one week's pay therefor, payable out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrant for the same.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

BYRNES, Chairman.

Report adopted by the following vote:

AYES—Messrs. Bailey, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Dargie, Denison, Dray, Everett, Fraser, Hamill, Heacock, Langford, Maher, McComas, McGowan, Preston, Ragsdale, Shippee, Streeter, and Welch—23.
NOES—None.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: Your Special Committee, to whom was referred the following resolution introduced by Senator Goucher on March 23, 1891:

WHEREAS, The office of Journal Clerk of the Senate has been overcrowded with work; and whereas, it will require some twenty-five days after the adjournment of this body to complete the Journal of the Senate; therefore, be it

Resolved, That the Journal Clerk, Francis A. Rossi, and Assistant Journal Clerks, J. McNulty, E. A. Davis, and M. F. Dillon, be and they are hereby allowed the same per diem as allowed during the session of this body, for the said twenty-five days, payable out of the appropriation for the contingent expenses of the Senate, and the Controller is hereby authorized and directed to draw his warrants in favor of said Journal Clerk and assistants, and the Treasurer is hereby directed to pay the same.

Have had the same under consideration, and respectfully report the same back with the following substitute:

WHEREAS, The office of Journal Clerk of the Senate has been overcrowded with work; and whereas, it will require some fifteen days after the adjournment of this body to complete the Journal of the Senate; therefore, be it

Resolved, That the Journal Clerk, Francis A. Rossi, and Assistant Journal Clerks, J. McNulty, E. A. Davis, and M. F. Dillon, be and they are hereby allowed the same per diem as allowed during the session of this body, for the said fifteen days, payable out of the appropriation for the contingent expenses of the Senate, and the Controller is hereby authorized and directed to draw his warrants in favor of said Journal Clerk and assistants, and the Treasurer is hereby directed to pay the same, and that said per diem for the said fifteen days shall be full compensation for the completion of said Journal.

CARPENTER, Chairman.

Report adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Byrnes, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, Ostrom, Ragsdale, Seawell, Shippee, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—31.

NOES—None.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following:

Senate Bill No. 272—An Act fixing the rate of tare on baled hops.

Senate Bill No. 655—An Act to provide for the publication and distribution of a State Blue Book or Roster.

Senate Bill No. 583—An Act to amend section two of an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance, within this State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885. Amended so as to read as follows.

Senate Bill No. 685—An Act authorizing the State Board of Examiners to sell old furniture and all material belonging to the State and not required for public use.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 666—An Act to amend section five of an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor," approved February 26, 1885.

H. A. MASON, Chief Clerk.
By E. P. BEATON, Assistant.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following:

Senate Bill No. 644—An Act authorizing the Attorney-General to settle and dismiss a certain action entitled "The People of the State of California, ex rel. John P. Dunn, State Controller, plaintiff, vs. Frank W. Gross, John Martin, and John Landers, defendants," wherein judgment was obtained against defendants in the Superior Court of the City and County of San Francisco, on the thirteenth day of December, 1889, which action is numbered twelve thousand nine hundred and two in said Court (now on appeal to the Supreme Court), upon payment to him for the use of the State of such moneys as he may deem advisable to accept.

Senate Bill No. 170—An Act making an appropriation to pay the claims of Charles F. Reed, C. E. Grunsky, and J. J. Crawford, for expenses incurred as members of the Examining Commission on Rivers and Harbors, approved March 19, 1889.

Senate Bill No. 329—An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Senate Bill No. 125—An Act to amend section three thousand nine hundred and twenty-six of the Political Code, relating to the boundary of Sutter County.

Senate Bill No. 471—An Act expressing assent of the State of California to the Act of Congress approved August 30, 1890, entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an Act of Congress approved July 2, 1862," and to the purposes of the grants of moneys authorized thereby, and to all the provisions thereof.

Senate Bill No. 341—An Act to amend section three of "An Act to regulate contracts on behalf of the State in relation to erections and buildings," approved March 23, 1876.

Senate Bill No. 610—An Act to amend an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1877, providing for the exclusion of certain lands within any such districts," by amending sections three, eight, and thirteen thereof.

Senate Bill No. 697—An Act to authorize the use of the ballot paper now the property of the State.

Senate Bill No. 704—An Act appropriating money for the payment of salary, from March 24, 1891, to July 1, 1891, of the Deputy Attorney-General.

Senate Bill No. 662—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General, for the forty-second fiscal year.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

Senate Bills Nos. 272, 655, 583, 685, 666, 644, 170, 329, 125, 471, 341, 610, 697, 704, and 662 ordered to enrollment.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred the following resolution:

WHEREAS, The Senate and Assembly did, on the eighteenth day of March, 1891, adopt a resolution known as Concurrent Resolution No. 5, with the amendments thereto; and whereas, the joint committee which was appointed in accordance with the aforesaid resolution has reported to the Senate and Assembly the results of its investigations, and filed with the Lieutenant-Governor the documentary evidence in the case; and whereas, the nature of the evidence is of such a character as to warrant further inquiry; therefore,

Resolved, That the Attorney-General be and that he is hereby requested to cause the evidence and a copy of the joint committee's report to be presented to the Grand Jury of Sacramento County, with the request that said Grand Jury make a thorough examination into all the circumstances connected with the case.

Have had the same under consideration, and respectfully report the same back, and recommend that said resolution be amended so as to read as follows:

Resolved, That the whole subject-matter of the resolution and the committee report be referred to the Attorney-General to take such action in relation thereto as he may deem proper; and that the Governor be requested to turn over to the Attorney-General, upon request, all his papers pertaining to said matter in his possession, to enable the Attorney-General to take such action as he may deem advisable.

And we further recommend that said resolution as amended be adopted as a concurrent resolution.

SPRAGUE, Chairman.

Amendment by Senator McGowan:

After the word "advisable" insert "and to resort to and exhaust all means and powers known to the law, that complete justice may be done in the premises."

Amendment lost by the following vote:

AYES—Messrs. Berry, Campbell of Solano, Crandall, Dray, Heacock, Langford, McComas, McGowan, Mead, Ostrom, Preston, and Shippee—12.

NOES—Messrs. Bailey, Banks, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, De Long, Denison, Everett, Flint, Goucher, Hamill, Harp, Maher, Mahoney, Ragsdale, Seawell, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), and Williams (Geo. H.)—24.

Senator Wilson was paired with Senator Dargie. Senator Wilson would have voted "aye" and Senator Dargie would have voted "no."

RESOLUTION—(OUT OF ORDER).

By Senator Heacock:

Resolved, That the clerks of the Committee on Judiciary be instructed to assist the Committee on Enrollment in comparing enrolled bills.

Adopted.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, as amended, Senate Bill No. 567 -An Act to amend section three hundred and nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to declaring dividends by Directors of corporations, and repealing section three hundred and nine of said Code.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant.

MOTION.

Senator Carpenter moved that the Senate concur in Assembly amendments to Senate Bill No. 567.

Assembly amendments to Senate Bill No. 567:

Insert the following after the word "thereof," in section one, line four, printed bill: "Nor must they divide, withdraw, or pay to the stockholders, or any of them, any part of the capital stock."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Bailey, Broderick, Byrnes, Campbell of Solano, Carpenter, Crandall, De Long, Denison, Dray, Everett, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, McComas, Ostrom, Preston, Ragsdale, Seawell, Shippee, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—27.
NOES—Messrs. Mahoney and McGowan—2.

COMMITTEE REPORT—(RESUMED).

The roll was then called on the adoption of the Judiciary Committee's report, which was adopted by the following vote:

AYES—Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Maher, McComas, McGowan, Mead, Preston, Ragsdale, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—35.
NOES—Messrs. Langford and Ostrom—2.

MOTIONS.

Senator Sprague moved to take a recess until ten o'clock P. M.

Senator Goucher moved to amend by making it eight o'clock and thirty minutes P. M.

Motion carried.

RECESS.

At five o'clock and ten minutes P. M. the Senate took a recess until eight o'clock and thirty minutes P. M.

REASSEMBLED.

At eight o'clock and thirty minutes P. M. the Senate reassembled.
Hon. J. B. Reddick, President of the Senate, in the chair.
Roll called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 151—An Act amendatory of an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote the horticultural interests of the State,'" approved March 14, 1881, approved March 19, 1889.

Senate Bill No. 684—An Act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve.

Senate Bill No. 569—An Act to empower the Board of State Harbor Commissioners to rectify the alignment of East Street, from Pacific Street to Market Street, in the City and County of San Francisco, and to sell, acquire, and condemn adjacent property.

Senate Concurrent Resolution No. 9—Relating to authorizing the Governor to receive moneys levied by the direct tax levied by Congress.

Senate Bill No. 135—An Act to amend section one thousand three hundred and five, section one thousand three hundred and seventy-three, section one thousand five hundred and fifty-two, section one thousand six hundred and thirty-three, and section one thousand six hundred and thirty-four of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Senate Bill No. 5—An Act to add a new section to the Political Code, to be numbered section two thousand six hundred and twenty-three, in relation to vacating public roads.

Senate Bill No. 200—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand six hundred and seventy, relating to the continuation of administration upon the estate of deceased persons.

Senate Bill No. 531—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court, and to appropriate money to pay the salary of additional deputy.

Senate Bill No. 528—An Act making an appropriation to pay the claim of John Mullan, for his commission on money collected by him from the United States on account of Indian War claims, and paid to the State of California.

Senate Bill No. 324—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Senate Bill No. 120—An Act to amend section one hundred and seventy-two of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the husband's control and disposition of the community property.

Senate Bill No. 492—An Act to amend an Act entitled "An Act to provide for the building and furnishing of the Home for Soldiers' Widows and Orphans, and Army Nurses, and for the State to inquire into the management of such institution, by a uniform rule proportioned to the number of inmates in said institution, for the management of the same, and for the support of indigent persons residing in the said Home," approved March 16, 1889.

Senate Bill No. 342—An Act to provide for the appointment of a Guardian for the Marshall monument and grounds, prescribing his duties, and appropriating money therefor.

Senate Bill No. 454—An Act to amend section two hundred and fifty-six of the Political Code of the State of California, to provide for the printing of the daily Journal of each House of the Legislature, and to repeal section two hundred and fifty-seven of said Code.

Senate Bill No. 365—An Act making an appropriation to pay the claim of Henry Mahler, for services superintending the improvement of the grounds around the Marshall monument.

Senate Bill No. 455—An Act adding a new section to the Political Code of the State of California, to be known and designated as section five hundred and thirty-nine, relative to the engrossment and enrollment of bills and other documents, and repealing sections two hundred and forty-eight and two hundred and forty-nine of said Code.

Senate Bill No. 4—An Act to amend section twenty-six hundred and eighty-two of the Political Code of the State of California, in relation to the character of petitions to be presented for the purpose of altering, laying out, or constructing, or discontinuing, or abandoning of any public highway.

Senate Bill No. 391—An Act to provide for the payment of the Controller of State's warrants which have been lost or destroyed previous to payment by the State Treasurer.

Senate Bill No. 3—An Act to amend section twenty-six hundred and eighty-eight of the Political Code of the State of California, concerning the hearing of the reports of viewers of public highways by Board of Supervisors, and the manner, time, and place of hearing such report, and the method of giving notice of such time and place to non-consenting land owners, and concerning damages to be awarded on such hearing.

Senate Bill No. 554—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto certain new and additional sections, to provide the mode of carrying into effect certain provisions of said Act relative to changing grades.

Senate Bill No. 124—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justice's Courts.

Senate Bill No. 678—An Act to establish a uniform system of county and township governments.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

RESOLUTION.

By Senator Voorhies:

Resolved, That the thanks of the Senate be and are hereby extended to Senator Campbell of Solano, for his labor and patience in preparing the County Government Bill, and also, for his untiring devotion and protection to it while in the hands of the Senate.

Adopted.

COMMUNICATION FROM THE ATTORNEY-GENERAL.

ATTORNEY-GENERAL'S OFFICE, STATE OF CALIFORNIA,
SACRAMENTO, March 25, 1891.

To the Senate of the State of California, Senate Chamber, Sacramento, California:

GENTLEMEN: I am in receipt of your communication of the twenty-fifth instant, making inquiry as to whether or not the members of your honorable body are entitled to a per diem for the number of days spent in voting for a United States Senator, in excess of the sixty days of the session for which pay is allowed by section two of article four of the Constitution of California.

In reply will say, that under the provisions of chapter one, title two, of the Revised Statutes of Congress, it is imperative upon the part of the Legislature of any State, in the case of a vacancy, as in the case cited by you, to remain in session from day to day until a United States Senator shall be elected to fill such vacancy. Such duty is imposed by Act of Congress, and not by the laws of the State of California.

It is claimed by some that the sixty days' pay mentioned in section two of article four of the Constitution only applies to State business, and that the Senate and Assembly should be entitled to compensation for the time imperatively and necessarily spent, under the laws of the United States, beyond the sixty days' session for which pay is allowed.

I find several decisions holding that the Senate, sitting as a Court of impeachment, after the adjournment of the Legislature, may receive a per diem; but the Constitutions, statutes, and authorities necessary to be examined upon these questions are so numerous that I will be unable to give you an opinion upon the subject for several days. If you desire to receive compensation, it might be well to pass the resolution, and in the course of four or five days I will examine the question and write an opinion as to whether or not you are entitled to pay.

As a matter of equity, I consider that the members of the Legislature should have compensation for their time, over which they have no control, while engaged in electing a United States Senator; but as to whether or not you can obtain it, is a question of law I cannot settle at this time.

Yours respectfully,

WM. H. H. HART,
Attorney-General.

Communication ordered printed in the Journal.

REPORT OF STANDING COMMITTEE.

ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: Your Committee on Engrossed and Enrolled Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 697—An Act to authorize the use of the ballot paper now the property of the State.

Senate Bill No. 272—An Act fixing the rate of tare on baled hops.

Senate Bill No. 655—An Act to provide for the publication and distribution of a State Blue Book or Roster.

Senate Bill No. 666—An Act to amend section five of an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor," approved February 26, 1885.

Senate Bill No. 685—An Act authorizing the State Board of Examiners to sell old furniture and all material belonging to the State and not required for public use.

Senate Bill No. 55—An Act to appropriate money to pay the claim of Enoch N. Strout for services rendered as Reclamation Fund Commissioner, under "An Act to provide for the funding of the indebtedness of the reclamation and levee districts of the State," approved March 30, 1872.

Senate Bill No. 704—An Act appropriating money for the payment of the salary, from March 24, 1891, to July 1, 1891, of the Deputy Attorney-General.

Senate Bill No. 662—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General, for the forty-second fiscal year.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

MOTION.

Senator Seawell moved that the Senate now consider the resolution relative to the per diem of Senators.

So ordered.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Banks, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, De Long, Everett, Fraser, Goucher, Heacock, Maher, McComas, Mead, Ostrom, Preston, Seawell, Simpson, Sprague, Streeter, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson—25.

NOES—Messrs. Bailey, Berry, Carpenter, Denison, Flint, Harp, Mahoney, McGowan, Ragsdale, Shippee, and Voorhies—11.

Senator Dray excused from voting.

Senator Voorhies moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Siskiyou, Carpenter, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

Senators Sprague and Campbell of Solano were brought before the bar of the Senate and excused.

On motion of Senator Voorhies, further proceedings under the call of the Senate were dispensed with.

RECESS.

On motion of Senator Hamill, the Senate, at nine o'clock and fifty-five minutes P. M., took a recess until ten o'clock and thirty minutes P. M.

REASSEMBLED.

At ten o'clock and thirty minutes P. M. the Senate was called to order. Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Berry, Britt, Broderick, Byrnes, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, Dargie, De Long, Denison, Dray, Everett, Flint, Fraser, Goucher, Hamill, Harp, Heacock, Langford, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Preston, Ragsdale, Seawell, Shippee, Simpson, Sprague, Streeter, Voorhies, Welch, Williams (Wm. H.), Williams (Geo. H.), and Wilson.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-fifth day of March, passed, as amended, Senate Bill No. 330—An Act to amend sections one, nine, and seventeen of "An Act to provide for the erection and management of a State Hospital for the Insane, to be located in Southern California," approved March 11, 1889.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant Clerk.

Assembly amendment to Senate Bill No. 330:

Amend section three so as to read "Section nine of 'An Act to provide for the erection and management of a State Hospital for the Insane,' approved March 11, 1889, is hereby amended to read as follows (*provided*, that this Act shall not be held to appropriate any money)."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Carpenter, Crandall, De Long, Denison, Dray, Everett, Flint, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Welch, and Williams (Wm. H.)—29.
NOES—None.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 205—An Act to provide for the purchase of a portrait of ex-Governor Waterman by the State Board of Examiners, and to appropriate money therefor.

H. A. MASON, Chief Clerk.

RESOLUTION.

By Mr. Carpenter:

Resolved by the Senate of the State of California, That the President of the Senate appoint a committee of three to examine and report to the Senate, at the next session of the Legislature, the number and condition of the persons receiving aid from the State, as aged persons in indigent circumstances, orphans, half orphans, abandoned children, foundlings, veterans, army nurses, and soldiers' widows, and, in their judgment, to examine into other institutions receiving aid from the State, and that the said committee be authorized to send for persons and papers and examine witnesses; *provided*, that no charge shall be made against the State for any services performed under this resolution, except their actual expenses.

Senator Mead moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Banks, Britt, Broderick, Campbell of Solano, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Everett, Goucher, Hamill, Harp, Heacock, Maher, Mahoney, McComas, McGowan, Mead, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Welch, Williams (Wm. H.), and Williams (Geo. H.).

Senator Carpenter moved that further proceedings under the call be dispensed with.

Carried.

The roll was called, and the resolution lost by the following vote:

AYES—Messrs. Bailey, Banks, Campbell of Siskiyou, Carpenter, Crandall, De Long, Denison, Dray, Goucher, Heacock, McComas, Ostrom, Ragsdale, Seawell, Shippee, Simpson, and Streeter –17.

NOES—Messrs. Britt, Broderick, Campbell of Solano, Everett, Hamill, Harp, Maher, Mahoney, McGowan, Mead, Welch, Williams (Wm. H.), and Williams (Geo. H.)—14.

APPROVAL OF JOURNALS.

Senator Heacock moved that the Journals of the twenty-third and twenty-fourth be approved.

So ordered.

RESOLUTION.

By Senator De Long:

Resolved by the Senate, the Assembly concurring, That a committee of three be appointed by the Senate to act with a like committee from the Assembly to wait upon the Governor and ask if there be any message which the Executive desires to communicate to the Legislature prior to its adjournment sine die.

Adopted.

The Chair appointed Senators De Long, Heacock, and Mead.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate concurrent resolution relative to appointment of a committee of three to wait upon the Governor, and appointed on said committee Messrs. Phillips, Baughman, and Shanahan.

H. A. MASON, Chief Clerk.
By F. W. WHITMORE, Assistant Clerk.

FINAL REPORT OF COMMITTEE ON ENGROSSED AND ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, March 25, 1891.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 125—An Act to amend section three thousand nine hundred and twenty-six of the Political Code, relating to the boundary of Sutter County.

Senate Bill No. 471—An Act expressing assent of the State of California to the Act of Congress approved August 30, 1890, entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an Act of Congress, approved July 2, 1862," and to the purposes of the grants of moneys authorizd thereby, and to all the provisions thereof.

Senate Bill No. 170—An Act making an appropriation to pay the claims of Charles F. Reed, C. E. Grunsky, and J. J. Crawford, for expenses incurred as members of the Examining Commission on Rivers and Harbors, approved March 19, 1889.

Senate Bill No. 644—An Act authorizing the Attorney-General to settle and dismiss a certain action entitled "The People of the State of California, ex rel. John P. Dunn, State Controller, plaintiff, vs. Frank W. Gross, John Martin, and John Landers, defendants," wherein judgment was obtained against defendants in the Superior Court of the City and County of San Francisco, on the thirteenth day of December, 1889, which action is numbered twelve thousand nine hundred and two in said Court (now on appeal to the Supreme Court), upon payment to him for the use of the State of such moneys as he may deem advisable to accept.

Senate Bill No. 341—An Act to amend section three of "An Act to regulate contracts on behalf of the State, in relation to erections and buildings," approved March 23, 1876.

Senate Bill No. 329—An Act to amend an Act entitled "An Act to create a Police Relief, Health, Life Insurance, and Pension Fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889.

Senate Bill No. 610—An Act to amend an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such districts," by amending sections three, eight, and thirteen thereof.

Senate Bill No. 567—An Act to amend section three hundred and nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to declaring dividends by Directors of corporations, and repealing section three hundred and nine of said Code.

Senate Bill No. 583—An Act to amend section two of an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance, within this State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885. Amended so as to read as follows.

Senate Bill No. 330—An Act to amend sections one, nine, and seventeen of "An Act to provide for the erection and management of a State Hospital for the Insane, to be located in Southern California," approved March 11, 1889.

Senate Bill No. 205—An Act to provide for the purchase of a portrait of ex-Governor Waterman by the State Board of Examiners, and to appropriate money therefor.

And have this day delivered the same to the Governor.

RAGSDALE, Chairman.

RESOLUTION.

By Senator Fraser:

Resolved, That a committee of three be appointed to inform the Assembly that the Senate is now ready to adjourn.

Adopted.

Chair appointed Senators Fraser, Ragsdale, and Britt.

VOTE OF THANKS.

On motion of Senator Heacock, a unanimous vote of thanks was tendered the President of the Senate, Hon. J. B. Reddick, for the efficient and impartial manner in which he presided.

A similar vote of thanks was given to Hon. Thomas Fraser, President pro tem. of the Senate.

The Secretary and Minute Clerk were complimented on their efficient and faithful discharge of their duties, and all officers, employés, clerks, etc., of the Senate, received a vote of thanks for the faithful discharge of their duties.

REPORTS OF COMMITTEES.

The committee appointed to wait upon the Governor appeared before the Senate and reported that they had waited upon his Excellency and discharged its duty, and that he had answered that he had no further official communication to make to this body.

The committee appointed to wait upon the House reported that they had discharged their duty, and that the House would communicate to the Senate through a committee.

MESSAGE FROM THE ASSEMBLY.

The Assembly, by a committee of three, reported that the Assembly had no further communication to make, and that the Assembly was ready to adjourn.

APPROVAL OF JOURNAL.

The minutes (Journal) of to-day read and approved.

ADDRESS BY THE PRESIDENT.

At twelve o'clock midnight, the President addressed the Senate as follows:

SENATORS: The hour hand on this watch—your beautiful present to me—admonishes me that the hour has arrived for the dissolution of this Senate. Its history has been made, but whether for weal or woe depends upon the judgment of the people yet to be rendered. According to the newspaper expressions, and a portion of the public, it has been for woe. But I believe and hope that time will cause a change in this sentiment, and that the final verdict will be to your credit. I am pleased to know that during this session I have presided over a body of gentlemen against whom there have been no reflections cast. I am pleased because I have been your presiding officer, and because I have seen nothing in your conduct but what has commanded my deepest and profoundest respect. You are about to go to your homes and resume the every-day duties of your lives. One half of you will, God sparing your lives, meet here again two years from now. Others may be called back, but wherever you may go my heart will follow you with its best wishes. I will rejoice in your prosperity, and sympathize with you in your adversity, should adversity overtake you, which I trust may never happen. I feel that I am parting with my best friends, and the hour for which I longed I now regret has come. I hope I have deserved your esteem, and I shall carry to my grave the recollection that I had been associated with as fine a body of gentlemen as ever sat upon this floor.

FINAL ADJOURNMENT.

Continuing, President Reddick said:

Gentlemen, the twenty-ninth session of the Senate of California stands adjourned sine die.

J. B. REDDICK,
President of the Senate.

F. J. BRANDON,
Secretary of the Senate.
C. S. MCMULLAN,
Minute Clerk.
JOHN REITH, JR.,
Assistant Minute Clerk.
W. G. KINSELL,
Assistant Minute Clerk.

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1	An Act appropriating the sum of $175,000 for the erection of additional buildings for the use of the State Insane Asylum at Agnews, to appropriate funds therefor, and to provide for the expenditure of the same. Bailey	32	638	
2	An Act to confirm, ratify, and make valid ordinances heretofore passed by the body intrusted with the government of incorporated cities, city and county, and towns, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated cities, city and county, and towns, by electric power. Bailey	32		
3	An Act to amend Section 2688 of the Political Code of the State of California, concerning the hearing of the reports of viewers of public highways by Boards of Supervisors, and the manner, time, and place of hearing such report, and the method of giving notice of such time and place to non-consenting land owners, and concerning damages to be awarded on such hearing. Berry	32	401	940
4	An Act to amend Section 2682 of the Political Code of the State of California, in relation to the character of petitions to be presented for the purpose of altering, laying out, or constructing, or discontinuing, or abandoning of any public highway. Berry	32	311	941
5	An Act to add a new section to the Political Code, to be numbered 2623, in relation to vacating public roads. Berry	33	400	941
6	An Act in relation to reassessments of property and the equalization of the same in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment. Berry	33		
7	An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 10, 1887. Britt	33	167	548
8	An Act to provide for the conduct of elections, and to more fully secure the independence of electors and the secrecy of the ballot. Britt	33		
9	An Act to provide for the payment of the repairs upon the quarantine launch "Governor Perkins." Broderick	33	244	827
10	An Act to amend Sections 689 and 549 of the Code of Civil Procedure of the State of California, relative to the claims by third persons of property levied upon under writs of execution and attachment, as to the procedure upon said claims, and as to the necessary prerequisites to their being received. Broderick	33	108	525
11	An Act to amend Section 6 and to repeal Section 63 of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to the appointment of receivers, and the care and disposition of the property of insolvent debtors during the pendency of insolvency proceedings and before the election of an assignee. Broderick	33		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
12	An Act repealing an Act declaring the Klamath River navigable. Campbell	33		
13	An Act to amend Section 532 of the Penal Code, relating to the crime of obtaining money or property by false pretenses. Carpenter	33	109	524
14	An Act to amend Section 72 of the Penal Code, relating to the fraudulent presentation of claims to public officers. Carpenter	33	109	525
15	An Act appropriating money to pay the expenses of maintaining an exhibit of the products of the State of California at the World's Columbian Exposition, to be held in Chicago in 1893, and to provide for Commissioners thereof. Carpenter	33		
16	An Act to annul Section 499 of the Civil Code of California, relative to the authority to lay, construct, and operate railroad tracks through streets and public highways of any incorporated city, city and county, or town, and to allow different lines of street railway, operated under different managements, to use parts of the same streets and tracks. Carpenter	34		
17	An Act to amend an Act entitled "An Act to provide for the organization, government, etc., of irrigation districts," approved March 7, 1887. Carpenter	34		
18	An Act to amend Sections 1118 and 1238 of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872, relating to the dismissal of actions and to appeals. Substitute for Senate Bills 18 and 25	34		
19	An Act to amend Section 2955 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to chattel mortgages. Carpenter	34	140	
20	An Act to amend Section 862 of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March, 1883. Carpenter	34		
21	An Act relating to life and casualty and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance. Carpenter	34		
22	An Act to amend Section 400 of the Penal Code, relating to the offense of aiding, advising, and encouraging the commission of suicide, and to renumber said section. Carpenter	34	168	
23	An Act to amend Sections 400 and 401 of the Penal Code, relating to contagious diseases among animals, and to renumber said sections. Carpenter	34	169	567
24	An Act to amend Section 401 of the Penal Code, relating to the adulteration of candy, and to renumber said section. Carpenter	34	169	549
25	An Act to amend Section 1238 of the Penal Code, relating to cases wherein an appeal may be taken by the people. Carpenter	34		
26	An Act to amend Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, March 14, 1885, and March 18, 1885, and as amended March 17, 1887. Carpenter	34		
27	An Act to provide for the improvement of the Reform School at Whittier, California, for Juvenile Offenders, and make an appropriation for the same. Carpenter	35	674	791

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
28	An Act to provide for the organization and government of levee districts created for the protection of the lands from overflow of innavigable streams of water, and to confine innavigable running streams to a fixed channel. Carpenter	35		
29	An Act to amend Section 224 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, in relation to the adoption of children. Crandall	35	167	525
30	An Act to amend Sections 3746, 3748, 3750, 3751, 3756, 3758, 3764, 3797, 3799, 3800, 3816, and 3866 of "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be known as Section 3757, relative to the collection of property taxes. Crandall	35	139	
31	An Act to amend Section 3653 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of Assessors. Dargie	35		
32	An Act to amend Section 2281 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, in relation to the office of Treasurer of the Deaf and Dumb and Blind Asylum. Dargie	35	119	222
33	An Act to provide buildings and improvements at the Deaf and Dumb and Blind Asylum, and making an appropriation for the same. Dargie	35	638	807
34	An Act to amend Section 3785 of the Political Code, relating to the redemption of property sold for delinquent taxes, and the notices to be given by the purchasers of property at delinquent tax sales before applying for a deed. Dargie	35	469	
35	An Act to amend an Act entitled "An Act to establish a Political Code of the State of California." Dargie	35		
36	An Act to amend Sections 1183, 1184, 1186, 1187, 1193, 1194, 1195, 1200, and to repeal Section 1188, and to add a new section, to be numbered Section 1203, of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, all relating to liens of mechanics and others. Dargie	35		
37	An Act to confirm, ratify, and make valid ordinances heretofore passed by the Trustees, Council, or other body intrusted with the government of any incorporated city, city and county, or town, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated city, city and county, or town, by electricity. Dargie	36		
38	An Act to amend Section 497 of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of any incorporated city, city and county, or town. Dargie	36		
39	An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889. Dargie	36		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
40	An Act to provide for the appointment of a State Veterinary Surgeon, to prescribe his duties, and fixing his compensation. De Long	36		
41	An Act to amend Section 4161 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the deposit of public funds. De Long	36	177	
42	An Act to amend an Act entitled "An Act to amend Section 3488 of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, and to make Sections 3446, 3447, 3449, 3450, 3452, 3453, 3454, 3455, 3456, 3457, 3459, 3460, 3461, 3462, 3463, 3465, 3466, 3467, 3468, 3471, 3472, and 3473 of said Political Code, relating to the reclamation of certain lands within certain municipalities," approved March 19, 1889. Dray	36	537	799
43	An Act to amend Section 2168 of the Civil Code, relating to common carriers. Britt	37	435	
44	An Act to provide for certain improvements and repairs at the Folsom State Prison, and making an appropriation therefor. Dray	37	613	853
45	An Act to amend Section 330 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming. Dray	37	286	621
46	An Act to amend Section 1358 of an Act of the Legislature of the State of California, entitled "An Act to establish a Political Code," approved March 12, 1872, relating to elections. Dray	37		
47	An Act to amend Section 497 of the Civil Code of the State of California, relating to the authority to lay railroad tracks through streets and public highways of incorporated cities, city and county, or towns. Dargie	37		
48	An Act to confirm, ratify, and make valid ordinances heretofore passed by the body intrusted with the government of incorporated cities, city and county, and towns, giving authority and permission to propel cars upon railroad tracks laid through the streets and public highways of such incorporated cities, city and county, and towns, by electric power. Dargie	37		
49	An Act to amend Section 70 of the Civil Code, relating to solemnization of marriages. Dray	37	169	
50	An Act to amend Sections 1918, 1955, 1957, 1959, 1970, 1980, 1990, 2022, 2065, 2094, 2095, and 2099, and to add a new section, to be known as Section 2008, to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the National Guard of California. Everett	37		
51	An Act to amend an Act entitled "An Act to authorize the incorporation of rural cemetery associations," approved April 28, 1859, and to authorize the owners of lots in such cemeteries to transfer them by deed. Everett	38	415	883
52	An Act to provide compensation to G. B. Montgomery for professional services rendered the State of California at the request of the Attorney-General. Flint	38		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
53	An Act to amend Section 1 of an Act entitled "An Act to amend Section 1, to repeal Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and to renumber Sections 12, 13, 14, 15, 16, 17, 18, and 19 of an Act entitled 'An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same,' approved April 15, 1880, amended March 6, 1883, amended March 9, 1885, amended March 14, 1885, amended March 9, 1887, to repeal all laws amendatory thereof, and to provide for the reorganization of existing districts and the formation of new districts," approved March 6, 1889, and to provide for the reorganization of existing districts, and to form a new agricultural district. Flint	38		
54	An Act to appropriate money to pay the claim of Geo. J. Mothersole for labor performed and expenses incurred in roofing the Napa State Asylum for the Insane, under a written contract. Fraser	38	305	
55	An Act to appropriate money to pay the claim of Enoch N. Strout for services rendered as Reclamation Land Commissioner, under "An Act to provide for the funding of the indebtedness of the reclamation and levee districts of this State," approved March 20, 1872. Fraser	38	651	948
56	An Act to amend Section 394 of the Code of Civil Procedure of the State of California, relative to the place of trial of certain actions where a county or city is a party, and a citizen or corporation resident of another county is sued by a county or city. Goucher	38		
57	An Act to provide for the nomination of candidates for office, to provide for ballots to be used in elections, and to further preserve the purity and secrecy of the ballot. Goucher	39		
58	An Act to amend Section 530 of the Political Code, relating to the office of Superintendent of State Printing. Goucher	39		
59	An Act to provide for the division of existing counties, and for the creation of new counties. Goucher	39		
60	An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley. Goucher	39	592	822
61	An Act to provide for the better discovery of assessable personal property, to aid Assessors and Boards of Equalization in the performance of their duties, and to require insurance companies to make annual reports of personal property insured. Goucher	39		
62	An Act for the relief of Patrick Creighton. Hamill	39	642	
63	An Act to fix the compensation for gas supplied by persons, companies, or corporations, to any city, or incorporated city and county of more than one hundred thousand (100,000) inhabitants, or to the inhabitants thereof, and to provide a penalty for collecting or attempting to collect illegal gas rates. Hamill	39	717	
64	An Act making an appropriation to pay the claim of D. Jordan. Hamill	39	613	791
65	An Act to amend Section 189 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the government of counties of the twenty-seventh class. Heacock	39		
66	An Act to regulate the sale of olive oil. Heacock	39	312	589

Number.	TITLE.	Introduced	Passed Senate	Passed Assembly
67	An Act to amend Section 1238 of the Code of Civil Procedure, concerning the right of eminent domain. Heacock	39	190	605
68	An Act to amend Sections 3665, 3666, 3667, 3668, 3669, 3670, 3672, 3692, 3696, 3714, 3728, 3732, 3746, 3756, 3758, and 3764 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation. Heacock	39		
69	An Act to amend Section 1329 of the Penal Code of the State of California, relative to the payment of the necessary expenses of witnesses in criminal cases. Heacock	40	312	
70	An Act to add a new section to the Penal Code of the State of California, to be numbered Section 830, relative to the service of warrants of arrest and other process in criminal cases. Heacock	40	190	
71	An Act prescribing the competency and for the protection of witnesses testifying as to crimes against the elective franchise, to be added as a new section under Title IV of the Penal Code of the State of California, and to constitute Section 64 of said Penal Code. Heacock	40	415	809
72	An Act regulating the form of requisitions for stationery made by the members of the Legislature, and the officers and employés thereof, upon the Secretary of State. Heacock	40	243	
73	An Act to amend Section 4371 of the Political Code of the State of California, relative to taxation for municipal purposes. Heacock	40		
74	An Act relative to the non-insurance of property belonging to the State, against risk of damage or destruction by fire. Heacock	40	374	484
75	An Act to add a new section to the Political Code, to be known and designated as Section 4534, relating to the duties of officers. Heacock	40	307	658
76	An Act to amend Section 1181 of the Civil Code of the State of California, as amended April 3, 1880, relating to the proof and acknowledgment of instruments. Heacock	40	176	809
77	An Act to legalize certain acknowledgments. Heacock	40	170	524
78	An Act entitled an Act to provide for the payment for services rendered the State of California by William H. Thornley, as Deputy State Commissioner of Immigration, and making the necessary appropriation therefor. Maher	41		
79	An Act to amend Section 1209 of the Code of Civil Procedure of the State of California, relating to the power of Courts in the matter of punishing contempts of Court. Maher	41		
80	An Act to increase the police force of the various cities, and cities and counties, of the State, and to provide for the appointment of such extra police officers and for the payment of their salaries. Maher	41		
81	An Act to provide for a State Board of Arbitration, for the settlement of differences between employers and employés. Maher	41	398	590
82	An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as Section 3246, relating to the payment of persons employed under the provisions of Section 3245 of said Political Code. Maher	41	177	548

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
83	An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 3245, relating to eight hours being a legal day's work. Maher	41	243	590
84	An Act to regulate the practice of pharmacy and sale of poisons in the State of California. Maher	41	177	660
85	An Act to amend an Act entitled "An Act in relation to certain deputies, assistants, and copyists of County Clerks." Maher	41		
86	An Act relating to life and casualty and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance. Maher	41		
87	An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to Chapter VIII, Title XIII, Part I, one section, numbered 538, relating to the punishment of fortune telling. Maher	41		
88	An Act to pay the claim of Jas. W. Rankin, for services in the office of the State Treasurer of California, and appropriate money therefor. Maher	41	305	833
89	An Act entitled an Act to provide for the payment of services rendered the State of California by William H. Thornley, as State Commissioner of Immigration, and making necessary appropriation therefor. Maher	42		
90	An Act to amend an Act entitled "An Act to amend Section 6 of an Act entitled 'An Act concerning the waterfront of the City and County of San Francisco,' approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners," approved March 17, 1889. Maher	42	416	871
91	An Act to provide for the issuance and sale of State bonds to create a fund for the construction and furnishing by the Board of State Harbor Commissioners of a general ferry and passenger depot in the City and County of San Francisco; to create a Sinking Fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people. Maher	42	399	709
92	An Act to provide penalties for failure to pay tolls, by false returns or otherwise, to Board of State Harbor Commissioners. Maher	42	416	550
93	An Act to amend Sections 628 and 630 of the Civil Code, relating to gas corporations. Mahoney	42		
94	An Act to add a new section to the Civil Code, to be known as Section 328, to enforce the provisions of Section 3 of Article XII of the Constitution. Mahoney	42		
95	An Act to add a new section to the Civil Code, to be known and designated as Section 512, relating to street railroads. Mahoney	42		
96	An Act to amend Section 501 of the Civil Code, relating to railroads. Mahoney	42		
97	An Act to add a new section to the Penal Code, to be known and numbered as Section 319, relating to the renting of property for immoral purposes. Mahoney	42		
98	An Act to amend Sections 55 and 75 of the Civil Code, in relation to marriage. Mahoney	42		
99	An Act to create a State Board of Mediation and Arbitration, prescribe its powers and duties, and provide for the amicable adjustment of grievances and disputes that may arise between employers and employés. Mahoney	42		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
100	An Act to amend Section 541 of the Civil Code, relating to telegraph corporations. Mahoney	42		
101	An Act to amend Section 1881 of the Code of Civil Procedure, relating to witnesses. Mahoney	43		
102	An Act to add a new article to the Civil Code, to be known as Article II of Chapter III of Title VII of Part IV, relating to telephone companies. Mahoney	43		
103	An Act to form Pomona County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties. McComas	43		
104	An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes. McComas	43	451	888
105	An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits. McComas	43		
106	An Act to create a State Association of Irrigation Districts, and to provide for the creation of a State Board of Irrigation to manage and conduct the affairs of the same, and to define the powers and prescribe the duties of such association and such Board, and to appropriate money in support thereof. McComas	43		
107	An Act to prevent damage from the overflow of artesian wells. McComas	43		
108	An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as Section 308, relative to the sale or furnishing of tobacco or preparations thereof to persons under sixteen years of age. McComas	43	307	640
109	An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a section thereto, to be known as Section 116 of said Act, relating to practice in township and municipal Courts. McComas	43		
110	An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a section thereto, to be known as Section 1462 of said Act, relating to practice in township and municipal Courts. McComas	43		
111	An Act to amend Sections 3746, 3756, 3758, 3764, 3797, 3799, and 3800 of an Act to establish a Political Code, approved March 12, 1872, and to add a new section thereto, to be known and numbered as Section 3757, relative to the collection of property taxes, and providing for the payment of the same in installments. McGowan	43		
112	An Act to amend Sections 275 and 276 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to the admission of attorneys and counselors at law. McGowan	44		
113	An Act to authorize the establishment of County High Schools, and provide for their support. McGowan	44	178	589

Number.	TITLE.	Introduced.	Passed Senate	Passed Assembly
114	An Act to amend Section 276 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors at law. McGowan	44		
115	An Act to authorize the Adjutant-General to issue arms and accouterments to regularly organized camps of the order of Sons of Veterans, in the State of California. McGowan	44		
116	An Act to amend Section 530 of an Act to establish a Political Code, approved March 12, 1872, relating to the office of Superintendent of State Printing, and providing for the election of such officer. McGowan	44	386	591
117	An Act to provide for, insure, and maintain preference in the appointment, employment, and retention in the public service and upon the public works of the State of California of honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion. McGowan	44	470	
118	An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as Section 300, determining who shall practice law in the several Courts of this State. McGowan	44		
119	An Act to amend Section 1201 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys. McGowan	44	469	
120	An Act to amend Section 172 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the husband's control and disposition of the community property. McGowan	44	470	942
121	An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof. McGowan	45		
122	An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the obligations of coterminous owners and others claiming interest or rights in land, and providing for the construction and maintenance of division fences. McGowan	45		
123	An Act to provide for the conduct of elections, and to more fully secure the independence of electors and the secrecy of the ballot. Ostrom	45		
124	An Act to amend Section 103 of the Code of Civil Procedure, relating to Justice's Courts. Dray	45	583	944
125	An Act to amend Section 3926 of the Political Code, relating to the boundary of Sutter County. Ostrom	45	866	957
126	An Act making an appropriation for the purchase of jute machinery, and the erection of buildings for the manufacture of jute goods, for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State. Ostrom	45	647	873
127	An Act to provide for the levy and collection of taxes by and for school districts, except in municipal corporations of the first class. Ragsdale	45		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
128	An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes. Ragsdale	45		
129	An Act to amend Sections 3746, 3750, 3751, 3756, 3758, 3762, 3764, and 3797 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add a new section to said Act, to be known as Section 3757, relating to revenue and the payment of taxes on real property in installments. Ragsdale	45		
130	An Act to authorize and direct the sale of the site and buildings of the California Home for the Care and Training of Feeble-Minded Children in Santa Clara County. Ragsdale	46	307	746
131	An Act to provide for the erection of additional buildings for the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor. Ragsdale	46	575	778
132	An Act appropriating the sum of $184,900 for the erection of additional buildings for the Mendocino State Asylum for the Insane, to complete buildings now being erected, to appropriate money therefor, and to provide for the expenditure of the same. Seawell	46		
133	An Act to amend an Act entitled "An Act to amend an Act entitled an Act to protect and promote horticultural interests of the State," approved March 19, 1889. Seawell	46	399	872
134	An Act to amend Sections 1187 and 1189, and to repeal Sections 1186 and 1191 of the Civil Code, relating to the recording and the acknowledgment of transfers. Seawell	46	374	778
135	An Act to amend Sections 1305, 1373, 1552, 1633, and 1634 of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to estates of deceased persons. Seawell	46	470	943
136	An Act to amend Section 797 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883. Simpson	46	364	709
137	An Act to amend Section 4 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883. Streeter	46		
138	An Act limiting the time in which an action to set aside, annul, or vacate the charter of any city, city and county, or town, can be maintained to six months. Streeter	46		
139	An Act to amend Sections 1094, 1096, 1097, 1113, and 1115, and to repeal Sections 1098, 1099, 1101, 1102, and 1103 of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to elections. Streeter	46		
140	An Act to regulate the use of meters used in the sale, rental, or distribution of water supplied to cities and counties, cities, or towns, and to the inhabitants thereof. Welch	47		
141	An Act to amend Sections 2457, 2464, 2465, and 2466 of the Political Code, relating to pilots and pilot regulations. Welch	47		
142	An Act to add a new section to the Penal Code, relative to the prohibition and prevention of the use of all acids or solutions of acids in the manufacture of hermetically sealed tin cans used for canning purposes, to be known as Section 246. W. H. Williams	47		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
143	An Act authorizing and requiring Boards or Commissions having the management and control of paid police forces to grant the members thereof yearly vacations. W. H. Williams	47	311	562
144	An Act to repeal Section 337 of the Penal Code. G. H. Williams	47		
145	An Act for the relief of Cornelius Lynch, for personal injuries received by him while in the service of the State. G. H. Williams	47		
146	An Act to amend Section 1401 of the Civil Code, relating to the disposition of community property on the death of the husband or wife, and to repeal Section 1402 of said Code. Wilson	47		
147	An Act amending Sections 1183, 1184, and 1187 of the Code of Civil Procedure, as amended March 18, 1885, relating to liens of mechanics and others. Banks	47		
148	An Act to provide for the construction and furnishing of a kitchen and dining-room at the Napa State Asylum for the Insane, and making an appropriation therefor. Banks	47		
149	An Act to amend Section 795 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883. Sprague	47	307	570
150	An Act to appropriate money for the completion of the building of the State Normal School at Chico. Sprague	48	578	792
151	An Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State," approved March 14, 1881, as amended by Chapter CCLXV of the laws of 1889, approved March 19, 1889. McComas	48	414	904
152	An Act to regulate the heating of steam passenger cars, and to provide for the placing of guards and guard posts on railroad bridges and trestles and the approaches thereto. G. J. Campbell	48		
153	An Act to provide fire-escapes in hotels. G. J. Campbell	48		
154	An Act to authorize school districts, cities, cities and counties, or incorporated towns in the State of California, to furnish the pupils of their respective public schools with free use of school text-books. G. J. Campbell	48	191	636
155	An Act to amend an Act entitled "An Act amendatory of an Act entitled an Act for the better protection of the stockholders in corporations formed under the laws of the State of California, for the purpose of carrying on and conducting the business of mining," approved March 30, 1874, in effect April 23, 1880. G. J. Campbell	48		
156	An Act to amend Sections 307, 312, and 314 of the Civil Code. G. J. Campbell	48		
157	An Act to amend Section 2955 of the Civil Code, relating to mortgages of personal property. G. J. Campbell	48		
158	An Act to amend Section 2955 of the Civil Code, relating to mortgages on personal property. G. J. Campbell	48		
159	An Act to amend Section 1918 of the Civil Code, relating to interest. G. J. Campbell	49		
160	An Act to amend Section 1918 of the Civil Code, relating to interest. G. J. Campbell	49		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
161	An Act to amend an Act entitled "An Act to limit and fix the rates of fares on street railroads in cities and towns of more than one hundred thousand inhabitants," approved January 1, 1878. Hamill	52		
162	An Act to determine that lands of this State are swamp and overflowed when returned as such by the United States Surveyor-General. Dray	52		
163	An Act to authorize Boards of Health and Health Officers in cities, and cities and counties of this State, to appoint Inspectors of Plumbing and Drainage in such cities, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors. Britt	52	559	879
164	An Act to authorize the Board of State Harbor Commissioners to pay the claim of Michael Creed. Maher	52		
165	An Act to add two new sections to Chapter X of the Penal Code, to be known and numbered as Sections 337 and 338, relative to the selling of pools on horse races. G. J. Campbell	52		
166	An Act to amend Section 2168 of the Civil Code of the State of California. G. J. Campbell	52		
167	An Act to make train wrecking a capital offense. G. J. Campbell	52	415	928
168	An Act regulating the charges of telephone companies, and of corporations and individuals operating telephones and telephone lines. G. J. Campbell	52		
169	An Act to create a Board of State Harbor Commissioners for Humboldt Bay, to provide for the appointment of such Commissioners, and to define their duties. McGowan	52		
170	An Act making an appropriation to pay the claims of Charles F. Reed, C. E. Grunsky, and J. J. Crawford, for expenses incurred as members of the Examining Commission on Rivers and Harbors. Flint	52	575	956
171	An Act to amend Subdivision 23 of Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, which subdivision provides for advertising for bids for stationery for the use of the county and its officers, and provides the method of procuring blank books, job printing, and other supplies necessary for the use of the county and its officers. Berry	53		
172	An Act to appropriate the sum of $458 65 to pay the claim of William H. Murphy, for money illegally paid the State of California. McGowan	53	306	845
173	An Act to add a new section to "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, to be known as Section 887, relating to illegal salaries and fees. Everett	53		
174	An Act to provide for the refunding of money held by gas companies, or persons or companies supplying gas, as security for gas meters, and to provide a penalty for violations of this Act. Hamill	53		
175	An Act to compel persons, companies, or corporations supplying gas to any city, city and county, or town, or to the inhabitants thereof, to supply gas to any person desiring the same; to provide for the connecting of gas meters, and to provide a penalty for violating the provisions of this Act. Hamill	53		

Number.	TITLE.	Introduced.	Passed Senate	Passed Assembly.
176	An Act to ascertain and express the will of the people of the State of California upon the subject of election of United States Senators. Goucher	53	375	548
177	An Act to amend an Act entitled "An Act to provide for Police Courts in cities having thirty thousand inhabitants and under one hundred thousand inhabitants, and to provide for officers thereof," approved March 18, 1885, in relation to the duties and salary of Clerks of said Police Courts. Denison	53	766	
178	An Act to provide for the removal of electrical conductors from the surface of streets, avenues, and other highways of towns, cities, counties, and cities and counties of this State, and providing for placing the same underground. Britt	59		
179	An Act to enable towns, cities, counties, and cities and counties of this State, to provide for a supply of water for the purpose of fire protection, and use of the inhabitants of such towns, cities, counties, and cities and counties, and authorizing the levy and collection of taxes therefor by them, and regulating the charge and management thereof, and providing for the construction and maintenance of waterworks, dams, reservoirs, ditches, canals, and other means to conduct, distribute, and supply each town, city, county, or city and county, and its inhabitants, with water. Britt	59		
180	An Act relating to telegraph, telephone, electric light, and other wires, poles, and cables. Britt	59		
181	An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as Section 811 thereof. Goucher	59		
182	An Act to amend Section 400 of the Civil Code of the State of California. Goucher	59		
183	An Act to amend Section 809 of the Code of Civil Procedure of the State of California. Goucher	60		
184	An Act to amend Section 292 of the Civil Code of the State of California. Goucher	60		
185	An Act to amend Section 565 of the Code of Civil Procedure of the State of California. Goucher	60		
186	An Act to provide for accurate meters or other instruments or devices used to measure or weigh the water sold, rented, or supplied to cities and counties, cities, and towns, or the inhabitants thereof; to regulate the furnishing and use of such meters, or other instruments or devices, and to provide a penalty for a violation of this Act. Hamill	60		
187	An Act to amend Sections 332 and 342 of the Civil Code, relative to assessments and the sale of the stock of corporations. Mahoney	60		
188	An Act to amend Section 616 of the Political Code, relating to insurance companies. Mahoney	60		
189	An Act for the better protection of the stockholders in corporations doing business in the State of California, formed for any purpose whatsoever. Mahoney	60		
190	An Act to amend Sections 307 and 312 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the better protection of stockholders of corporations, and providing a penalty for the violation of the provisions thereof. Mahoney	60		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
191	An Act to amend Section 321 of the Penal Code of California, prohibiting the sale or other disposition of lottery tickets, and providing the punishment therefor. Sprague	60		
192	An Act amendatory of and supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, and providing for the dissolution and disorganization of irrigation districts organized under said Act. Sprague	60		
193	An Act to amend Section 11 of an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, so as to create an additional district. Mead	60		
194	An Act to provide for organizing, establishing, and maintaining a Paid Fire Department within municipalities in the State of California, to be under the supervision and control of a Board of Fire Commissioners. Maher	61		
195	An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 19, 1885, and to add a new section thereto, to be called Section 38, relating to the change of grades of public streets, avenues, and places within municipalities. Maher	61		
196	An Act to provide for the removal of the old wooden fence, sidewalks, and curb from the State Capitol grounds, located at Sacramento, and have constructed in their stead a granite post and chain fence, a concrete sidewalk, and granite curb, and to appropriate money therefor. Dray	61	171	621
197	An Act to provide for the completion of the ten tiers of granite steps in the State Capitol grounds, located at Sacramento, and to appropriate money therefor. Dray	61	174	621
198	An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes. McComas	61	864	
199	An Act to regulate the licensing and powers of detectives within the boundaries of the State of California. Dargie	61		
200	An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as Section 1670, relating to the continuation of administration upon the estates of deceased persons. Broderick	61	491	944
201	An Act to add a new section to the Code of Civil Procedure of the State of California, to be known and designated as Section 1592, relating to mortgages by executors of real property belonging to the estates of decedents. Broderick	61		
202	An Act to authorize the Governor and Surveyor-General to sell and convey the State's interest in certain lands. Byrnes	61		
203	An Act making an appropriation to pay the necessary expenses of the committee appointed by the State of California to the World's Fair at Paris in 1890. Heacock	61		
204	An Act to provide for a depository for the county funds, and to regulate the same. Simpson	61		
205	An Act amending Section 647 of the Code of Civil Procedure. Goucher	65		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
206	An Act amending Section 801 of the Penal Code. Goucher	65		
207	An Act to amend Sections 245, 246, and 268 of the Political Code of the State of California, and to repeal Sections 248 and 249 of said Code. Heacock	66	78	161
208	An Act giving the consent of the State of California to the reservation of certain lands by Congress. De Long	67	124	709
209	An Act entitled an Act to appropriate moneys to pay the claim of George Fetherstone, for services rendered in the office of the Treasurer of State. Bailey	67	306	395
210	An Act to create the county of Glenn, to establish the boundaries thereof, and to provide for its organization. Wilson	67		
211	An Act to create a Board of State School Book Editors, define their duties, and provide for their compensation. Ostrom	67		
212	An Act to amend Section 1524 of the Penal Code of California, designating the grounds upon which search warrants may be issued. Seawell	67		
213	An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter, in towns, cities, and cities and counties. G. H. Williams	68		
214	An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of fish and game. Banks	68	427	
215	An Act to authorize the Board of Fish Commissioners of this State to purchase the land on which the State Fish Hatcheries at Sisson and Lake Tahoe are now situated, and appropriating money therefor. Banks	68	251	838
216	An Act to prevent the destruction of young fish in mill-races, irrigating ditches, flumes, and canals. Banks	68		
217	An Act to authorize the Board of Fish Commissioners of this State to establish a trout hatchery at or near the city of San Francisco, and making an appropriation therefor. Banks	68		
218	An Act to amend Section 1468 of the Penal Code, relating to the filing and settlement of statements on appeal from Justice's or Police Courts. Carpenter	68		
219	An Act to amend Section 689 of the Penal Code, relating to the right of a trial by jury. Carpenter	68		
220	An Act authorizing Boards of Supervisors of the several counties to grant compensation to corporations or persons owning a toll road, for improvements thereon constructed after the franchise has expired. Seawell	68		
221	An Act to appropriate money to pay the claim of Max. Gumpel, for services rendered to the State as an expert during the trial of John S. Gray. Britt	68		
222	An Act requiring every person, company, or corporation supplying water to any municipality, or the inhabitants thereof, in the State of California, to construct water mains where, and of the size designated by the governing body of the municipality, and to furnish water where designated upon demand and payment of rates as long as the supply is sufficient, and prescribing a penalty for non-compliance. Simpson	68	578	

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
223	An Act to amend Sections 286, 354, and 360 of the Civil Code, relating to the powers of corporations. McGowan	68		
224	An Act to amend Sections 58 and 792 of the Political Code, so as to authorize the appointment of women as Notaries Public. McGowan	69		
225	An Act to amend an Act entitled "An Act for the protection of preëmption and homestead claimants," approved March 23, 1874. McGowan	69		
226	An Act to add an additional section to the Civil Code, to be numbered and known as Section 553, relating to water and canal corporations. McGowan	69		
227	An Act entitled an Act to add another section to the Code of Civil Procedure of the State of California, relating to incompetent persons. Heacock	69	303	659
228	An Act to amend Section 2642, and Section 2644, and Section 2645 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to the appointment and duties of Road-master or Road Overseer; as amended by an Act approved March 9, 1887, and amended and approved March 19, 1889. Heacock	69		
229	An Act entitled an Act to amend "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889. Everett	72		
230	An Act to amend Section 276, Code of Civil Procedure. Everett	72		
231	An Act to amend Section 647 of the Penal Code, relating to vagrants. Everett	72		
232	An Act to amend Section 281, Code of Civil Procedure. Everett	72	650	
233	An Act to declare arrangements, contracts, agreements, trusts, or combinations, in restraint of trade and production unlawful, and to fix the penalty therefor. Mahoney	72		
234	An Act to establish a standard of weights and measures. Mahoney	72	671	830
235	An Act fixing the permanent channels of rivers in the State of California, and for retaining them in their true channels, and for returning them when changed into their true channels as defined in this Act. Mahoney	72		
236	An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as Section 308, relative to the sale and use of opium or any preparation thereof. Mahoney	73		
237	An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance. Heacock	73		
238	An Act to amend Sections 799 and 800 of the Penal Code, relating to the limitation of time within which prosecution for murder, the embezzlement of public moneys, and the falsification of public records must be commenced. Berry	73	364	808
239	An Act to amend Section 3064 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to Boards of Health. Simpson	73	627	

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
240	An Act to amend Sections 3077, 3078, 3080, and 3082 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the registry of births, deaths, and marriages. Simpson	73		
241	An Act to appropriate money for the erection of a State Hospital for lepers. Simpson	73	364	
242	An Act to amend Section 378 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the preservation of the public health and safety, and registration of births, deaths, and marriages. Simpson	73		
243	An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased. Broderick	73	829	908
244	An Act to authorize the establishment of County High Schools, and provide for their support. G. H. Williams	73		
245	An Act to establish a State Normal School in the City and County of San Francisco. G. H. Williams	73		
246	An Act to provide for a depository for the county funds, and to regulate the same. G. H. Williams	73		
247	An Act for the relief of G. Raisch. Maher	74		
248	An Act to appropriate the sum of $80,000 for the building of a medical college in the City and County of San Francisco, to be a part of the University of California. Maher	74		
249	An Act to prescribe who can practice law in Police Courts. Everett	74		
250	An Act making an appropriation to pay the claim of William J. Hardy. Hamill	79		
251	An Act entitled an Act to prohibit the publication in any newspaper, periodical, publication, or pamphlet of any list or partial list of numbers of tickets, checks, or coupons entitled to prizes resulting from the drawing of any lottery, or to publish any account of any person having drawn a prize in any lottery, and to provide a penalty for violating this Act. Hamill	79		
252	An Act for the relief of the heirs of Michael Curran, deceased. Harp	79	489	811
253	An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be known as Section 3671*a*. Crandall	79		
254	An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors. Crandall	79	603	
255	An Act to amend Section 598 of the Civil Code of the State of California, relating to benevolent and religious corporations. Denison	79	537	821
256	An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called Section 2984, relative to the appointment of a State Sanitary Inspector. Byrnes	79	770	933
257	An Act to amend Section 2686 of the Political Code of the State of California, in relation to the contents of the reports of viewers appointed for the purpose of viewing any highway proposed to be altered, laid out, constructed, discontinued, or abandoned. Berry	79		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
258	An Act prescribing the powers, duties, and rights of corporations, companies, associations, or persons furnishing water to any city and county, city, or town, or to the inhabitants thereof, and to regulate water rates. Bailey	79		
259	An Act to appropriate money for the completion and maintenance of the Preston School of Industry. Preston	80	562	805
260	An Act to amend Section 2467 of the Political Code, relating to charges for towage. Welch	80		
261	An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes. Flint	80	867	
262	An Act making an appropriation to pay the deficiency in the appropriation for the salary of the Executive Secretary to the Governor for the forty-first and forty-second fiscal years. Carpenter	80		
263	An Act to provide for the painting of portraits of R. W. Waterman and H. H. Markham, and appropriating money therefor. Voorhies	80		
264	An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as Section 1864½, to give a lien to the breeders of thoroughbred cattle, horses, and other domestic animals. Ragsdale	80	505	
265	An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as Section 433, permitting the establishment of mutual insurance companies. Ragsdale	80		
266	An Act making an appropriation for the support and maintenance of the State Mining Bureau for the forty-third and forty-fourth fiscal years. De Long	80		
267	An Act to regulate the interest of money. Wilson	81		
268	An Act to amend Section 2981 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to the preservation of the public health. Simpson	81		
269	An Act to amend Sections 501 and 508 of the Civil Code, relative to street railroads and street railroad corporations in cities, cities and counties, or towns. W. H. Williams	84		
270	An Act to amend Section 1246 of the Penal Code, relating to the cost of appeals in criminal cases. R. H. Campbell	84	831	
271	An Act to amend Section 1665 of the Political Code, relating to course of instruction to be taught in the public schools of California. Seawell	85		
272	An Act fixing the rate of tare on baled hops. Seawell	85	630	953
273	An Act to amend Sections 337 and 339 of the Code of Civil Procedure, relating to time of commencing actions. Seawell	85		
274	An Act to provide for the assessment of property, and to provide a penalty for the failure or neglect of Assessors to perform their duty in making assessments. Hamill	85		
275	An Act to amend Section 201½ of the Political Code, an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 17, 1887, also approved March 16, 1889. Berry	85		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
276	An Act to repeal Section 3818 of the Political Code, relating to preferred purchasers for lands sold to the State for taxes. Ragsdale	85		
277	An Act amending Section 832 of the Civil Code of the State of California, as amended March 3, 1874, relating to excavation made upon lands, and the duty of protecting the lands of coterminous owners. Banks	85	469	
278	An Act to prohibit the sale of intoxicating liquors within one mile of any reform school where juveniles are confined or kept. McComas	85		
279	A bill for an Act to provide for the organization and government of districts already supplied with water for domestic and irrigation purposes, or either, and to provide for the acquisition of additional supplies of water when necessarry, and to provide for the regulation and use of such water. McComas	85		
280	An Act to amend Section 1 of an Act entitled "An Act to amend Section 1, to repeal Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, and to renumber Sections 12, 13, 14, 15, 16, 17, 18, and 19 of an Act entitled 'An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same,' approved April 15, 1880, amended March 6, 1883, amended March 9, 1885, amended March 14, 1885, amended March 9, 1887, to repeal all laws amendatory thereof, and to provide for the reorganization of existing districts and the formation of new districts," approved March 6, 1889, to divide Agricultural District No. 19, and to create an additional agricultural district, to be known and designated as Agricultural District No. 30. Heacock	85		
281	An Act to provide for the payment of the wages of mechanics and laborers employed by corporations. Britt	86	399	741
282	An Act to provide for the appointment of a Board of Sutter's Fort Trustees, and for the acquisition of the Sutter Fort property, and providing for an appropriation for the preservation, protection, and improvement of said property. Flint	86	506	621
283	An Act to amend Sections 1915 and 1917 of the Civil Code, relative to the legal rate of interest, and to provide a penalty for usury, and to repeal Section 1918 of said Code. Everett	86		
284	An Act to amend Section 1348 of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, authorizing certain corporations to act as executor and in other capacities. De Long	86		
285	An Act providing for the sale of railroads and other franchises in municipalities, and fixing the time when certain acts of the governing bodies thereof shall take effect. Broderick	86		
286	An Act authorizing the governing bodies of cities, or cities and counties, to fix the rates to be charged for gas and electricity for lighting. Maher	86		
287	An Act to amend Section 92 of the Civil Code, and to add a new section to the Civil Code, to be designated as Section 108, concerning divorces. Sprague	86		
288	An Act to amend Section 1962 of the Code of Civil Procedure of California, to be known as Subdivision 8, relating to what are deemed conclusive presumptions. McGowan	86		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
289	An Act to repeal Sections 2567, 2568, 2569, 2570, 2571, and 2572 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872. Mahoney	90		
290	An Act to provide for the erection of additional buildings for the use of the State Normal School at San José, California, and making an appropriation therefor. Crandall	90	615	873
291	An Act for the relief of Benicia F. Vallejo, the widow of the late General Mariano G. Vallejo. Ragsdale	90		
292	An Act to add a new section to the Penal Code, to be known as Section [illegible], relating to [illegible] livery, feed, and sale stables. Ragsdale	90		
293	An Act for the relief of James J. Conlin. Mahoney	90	649	866
294	An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885. Langford	90		
295	An Act to provide for the [illegible] of a [illegible] Waterman, by the State Board of Examiners, and to appropriate money therefor. Goucher	90	470	965
296	An Act to add a new section to the Political Code, to be known as Section 293, relating to qualifications of Notaries Public. Simpson	90		
297	An Act to amend Section 291 of the Political Code, relating to the appointment and number of Notaries Public. Simpson	90		
298	An Act to provide for changes of the custody of property, and the control of estates upon changes in the office of Public Administrator. Hatch	90		
299	An Act to amend Section 1265 of the Civil Code, relating to homesteads. G. J. Campbell	90		
300	An Act to revise the law in relation to mortgages of personal property. McComas	90		
301	An Act making appropriation of money to supply the deficiency in the appropriation for the support of the State Printing Office, for the forty-second fiscal year. De Long	90	118	219
302	An Act to amend Sections 2436, 2440, and 2443 of Article V of the Political Code, relating to pilots and Pilot Commissioners, and Sections [illegible] of Article VI of the Political Code, relating to the pilot regulations of San Francisco, Mare Island, and Benicia. Maher	90		
303	An Act making an appropriation to pay the deficiency in the appropriation for stationery, supplies, fuel, and lights for Legislature and State officers, for the fortieth fiscal year. De Long	97		
304	An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the forty-first fiscal year. De Long	97	510	822
305	An Act making an appropriation to pay the deficiency in the appropriation for payment of costs and expenses of trials of persons violating the laws for preservation of fish, for the thirty-ninth, fortieth, and forty-first fiscal years. De Long	97	510	821
306	An Act making an appropriation to pay the deficiency in the [illegible] of costs and expenses of trials of [illegible] laws for preservation of fish, for the forty-[illegible] fiscal year. De Long	97	842	

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
307	An Act making an appropriation to pay the deficiency in the appropriation for the arrest of criminals without the limits of the State, for the fortieth fiscal year. De Long	97		
308	An Act making an appropriation to pay the deficiency in the appropriation for repairs to the State Capitol building and furniture, for the forty-first fiscal year. De Long	97		
309	An Act making an appropriation to pay the deficiency in the appropriation for repairs to the State Capitol and furniture, for the forty-second fiscal year. De Long	97		
310	An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of Attorney-General, for the fortieth fiscal year. De Long	97	512	
311	An Act making an appropriation to pay the deficiency in the appropriation for postage and expressage of the Supreme Court, for the fortieth fiscal year. De Long	97		
312	An Act making an appropriation to pay the deficiency in the appropriation for the improvement of the State Capitol grounds, for the forty-second fiscal year. De Long	97		
313	An Act making an appropriation to pay the deficiency in the appropriation for construction of granite steps in the State Capitol grounds, for the forty-first and forty-second fiscal years. De Long	97		
314	An Act making an appropriation to pay the deficiency in the appropriation for salary of Commissioner of Bureau of Labor Statistics, for the fortieth fiscal year. De Long	97		
315	An Act making an appropriation to pay the deficiency in the appropriation for salary of Deputy Commissioner of Bureau of Labor Statistics, for the fortieth fiscal year. De Long	98		
316	An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Engineer, for the fortieth, forty-first, and forty-second fiscal years. De Long	98		
317	An Act making an appropriation to pay the deficiency in the appropriation for support of the Insane Asylum at Stockton, for the fortieth fiscal year. De Long	98		
318	An Act making an appropriation to pay the deficiency in the appropriation for the payment of claims incurred in an Act entitled "An Act to promote drainage," approved April 23, 1880. De Long	98		
319	An Act making an appropriation to pay the deficiency in the appropriation for fuel, lights, postage, and incidental expenses of the Board of Railroad Commissioners, for the fortieth fiscal year. De Long	98		
320	An Act making an appropriation to pay the deficiency in the appropriation for use of library at State Normal School at San José, for the thirty-eighth fiscal year. De Long	98		
321	An Act making an appropriation to pay the deficiency in the appropriation for use of the State Board of Forestry, for the thirty-eighth fiscal year. De Long	98		
322	An Act making an appropriation to pay the deficiency in the appropriation for the purchase of ballot paper, for the forty-second fiscal year. De Long	98		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
323	An Act making an appropriation to pay the deficiency in the appropriation for contingent expenses of Commissioner of Bureau of Labor Statistics, for the fortieth, forty-first, and forty-second fiscal years. De Long	98		
324	An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases. W. H. Williams	100	503	915
325	An Act to provide for the redemption of property which has been heretofore sold to irrigation districts for delinquent assessments. Harp	100		
326	An Act to amend an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school textbooks, and appropriating money therefor," approved March 15, 1887. Voorhies	100	492	
327	An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, and to add a new section thereto, to be known as Section 1810, relating to the power of guardians to settle and compromise claims against the estates of their wards. Dargie	100		
328	An Act to amend Section 25 of the Civil Code, relating to the age of minors. Dargie	101		
329	An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889. Dargie	101	865	956
330	An Act to amend Sections 1, 9, and 17 of "An Act to provide for the erection and management of a State Hospital for the Insane, to be located in Southern California," approved March 11, 1889. Streeter	101	717	964
331	An Act appropriating $18,345 for the payment of the salaries of the members and officers of the Board of State Harbor Commissioners for the Bay of San Diego, up to July 1, 1891. Streeter	101		
332	An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Sections 2589, 2595, 2605, 2606, and 2607 of said Code, relating to the establishing of a Board of State Harbor Commissioners for the bay of San Diego. Streeter	101		
333	An Act to amend Article III, Subdivision 4 of Section 862 of the Political Code of the State of California. Ragsdale	101		
334	An Act to establish a State Board of Ramie Culture, and to provide for expenses thereof, and to encourage the culture of the ramie plant. Maher	101	811	912
335	An Act to appropriate money to pay the claim of William Gutenberger, for the loss of tools and property destroyed at the Branch State Prison at Folsom. Maher	101		871
336	An Act to regulate the preparation, sale, use, fire-test, and inspection of petroleum oils, kerosene, gasoline, or any product of petroleum, by whatever name known, which may be manufactured, offered for sale, or sold for consumption for illuminating purposes within the State. Maher	101		
337	An Act to provide for estimating the cost and selling price of the State text-books. Welch	101		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
338	An Act to provide for the free printing of the State school text-books. Welch	101		
339	An Act for the relief of Wallace Green, for personal injuries received by him while confined as a convict in the State Prison at San Quentin, and to appropriate money therefor. Flint	101		
340	An Act to repeal Title XVI of Part IV, Division I, of the Civil Code, and to substitute a new title in place thereof, providing for the formation and government of mutual building and loan associations. Flint	102	704	
341	An Act to amend Section 3 of "An Act to regulate contracts on behalf of the State in relation to erections and buildings," approved March 23, 1876. Crandall	102	719	957
342	An Act to provide for the appointment of a guardian for the Marshall Monument and grounds, prescribing his duties, and appropriating money therefor. Fraser	102	469	942
343	An Act to propose an amendment to Section 5 of Article XX of the Constitution of State of California, relative to fiscal year. Seawell	102		
344	An Act to add a new section to the Civil Code, to be numbered 131, relative to the divorce of married persons. Seawell	102		
345	An Act to repeal an Act entitled "An Act authorizing the Boards of Supervisors of the several counties of this State to declare inavigable streams highways for floating of logs and timber, and provide for the improvement and use of the same," approved March 7, 1889. Seawell	102		
346	An Act to appropriate the sum of $3,100 to purchase adjacent lands at San Quentin for the use of the State Prison, together with the improvements thereon. McGowan	102	552	908
347	An Act to amend an Act entitled "An Act to establish a Political Code," by adding thereto a new section, to be numbered 3745, to precede Section 3746, and by amending Section 2731 thereof, all relating to the payment of taxes. McGowan	102		
348	An Act making an appropriation to pay the claim of Wm. Darby. Carpenter	103	770	
349	An Act to amend an Act entitled "An Act to protect and promote horticultural interests of the State." Carpenter	103		
350	An Act to provide for the formation of new counties. Carpenter	103		
351	An Act making an appropriation to pay the deficiency in the appropriation for the office of Secretary of State, and for the purchase of supplies and furniture, and for making necessary repairs in the several offices of the State Capitol. Preston	103	133	421
352	An Act to amend Sections 1548, 1551, 1552, 1560, 1565, 1576, 1581, 1583, 1596, 1599, 1649, 1662, 1665, 1771, 1775, 1791, and 1792 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public schools. Preston	103		
353	An Act to provide for furnishing assistants to every attorney and counselor, City Attorney, and City and County Attorney, and to each law officer, of whatever official name he may be designated, officially conducting the civil litigation of each city, or city and county, having 100,000 or more inhabitants, and providing the mode in which such assistants shall be appointed and designated as officers of each city, or city and county, and establishing the compensation and prescribing the duties of such assistants. Mahoney	103		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
354	An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation. Sprague	104	875	
355	An Act to amend Section 2031 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to the taking of depositions. Sprague	104		
356	An Act to amend Section 939 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to appeals. Sprague	104		
357	An Act to amend Section 20 of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, known as the Insolvent Act of 1880. Sprague	104		
358	An Act making an appropriation to pay the Journal Clerk of the Senate, twenty-eighth session of the Legislature, and his assistants, for completing the Journal of the Senate. Banks	104		
359	An Act to equalize the compensation of the attorneys who were employed by the State of California in a United States case involving the Chinese Exclusion Act passed by Congress, to wit: the case of Chae Chan Ping vs. The United States, and making an appropriation therefor. Banks	104		
360	An Act making an appropriation to pay the claim of Henry Hogan. Banks	104		
361	An Act making an appropriation to pay the claim of C. C. Rochford, ex-Sheriff of Modoc County, for expenses incurred in the capture and arrest of J. R. Franklin, a murderer. Banks	104		
362	An Act making an appropriation for reimbursing the Japanese Government for moneys expended in the extradition of Calvin Pratt, a fugitive from the justice of this State, and to provide for transmitting the same to Japan. Banks	104		
363	An Act making an appropriation to pay the claims incurred by the Examining Commission on Rivers and Harbors, under the provisions of Chapter CCLXXII of the Statutes of California, 1889. Banks	104		
364	An Act making an appropriation to pay the claim of "The California Spirit of the Times" for advertising the election proclamation. Banks	104	699	
365	An Act making an appropriation to pay the claim of Henry Mahler, for services superintending the improvement of the grounds around the Marshall Monument. Banks	104	857	933
366	An Act making an appropriation to pay the claim of James A. Kearney, ex-Sheriff of San Benito County, for expenses incurred in conveying prisoner. Banks	105		
367	An Act to amend an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State. Maher	105		
368	An Act to amend Section 259 of the Code of Civil Procedure of the State of California, relating to the powers of Court Commissioners. Hamill	105		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
369	An Act to amend Sections 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1257, 1258, and 1259 of the Political Code, and to add three new sections thereto, to be numbered 1215, 1216, and 1217, in relation to the methods of making nominations for office, the mode of conducting elections, and making returns thereof in this State. Ostrom	116		
370	An Act to amend Section 191 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to salary of the Deputy Superintendent of Schools of counties of the twenty-ninth class. Harp	117		
371	An Act to provide for the erection and furnishing of a Superintendent's residence, for the purchase of laundry machinery, for reflooring the female asylum building, and for the permanent improvement of the walks and driveways on the grounds of the State Asylum for the Insane at Stockton, and to appropriate money therefor. Simpson	117	630	858
372	An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, for the forty-first and forty-second fiscal years. Simpson	117		
373	An Act to amend Section 1 of an Act approved March 30, 1878, entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," as amended and approved March 10, 1887. Langford	117		
374	An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending Sections 1, 2, 3, 4, 11, 12, 35, and 42 thereof, relating to irrigation districts. R. H. Campbell	117		
375	An Act authorizing the Attorney-General to dismiss those certain actions pending in the Superior Court of the City and County of San Francisco, and numbered 11,706, 11,925, and 11,926, upon payment to him for the use of the State of certain moneys. Dargie	118	559	915
376	An Act to amend Section 1593 of the Political Code, relative to time of election for School Trustees. Seawell	127		
377	An Act to prevent the use of substitute for hops, or pure extract of hops, in the manufacture of ale or beer sold or offered for sale in this State. Seawell	127	853	
378	An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending Section 2587, relating to policies of insurance. Seawell	127		
379	An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending Section 2594, and repealing Section 2595, relating to policies of insurance. Seawell	127		
380	An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending Section 2756, relating to fire insurance. Seawell	127		
381	An Act to amend the Political Code, Part III, Title III, Article I, Section 1521, relating to the powers and duties of the State Board of Education. Preston	127		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
382	An Act to prohibit the buying and selling of the shares of the capital stock of corporations in any stock board, stock exchange, or stock market, under the control of any association. W. H. Williams	127		
383	An Act declaring contracts for the sale of the capital stock of corporations or associations on margin unlawful, and defining and declaring certain contracts to be such as are declared unlawful. W. H. Williams	127		
384	An Act to increase the number of Judges of the Superior Court of the county of Tulare, and to provide for the appointment of an additional Judge. Berry	127	434	629
385	An Act to authorize the State Board of Prison Directors to pay for certain skilled labor used in the construction of dam and canal at the Folsom Prison, and making an appropriation therefor. Denison	127	432	
386	An Act to authorize the Trustees of municipal corporations having a voting population of less than two hundred legal voters, to wind up the affairs of said corporation by paying off its indebtedness, disposing of its property, if it has any, to the county for its own local improvement, etc., and to declare said corporation no longer in force. McComas	128		
387	An Act to add to Part II, Division II, of the Civil Code, a new title, to be known as Title V, containing eighteen sections, to be numbered 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, and 895, relating to mining laws and forming mining districts. Fraser	128		
388	An Act to divide the State of California into Congressional Districts. Voorhies	132	432	643
389	An Act entitled "An Act for the relief of J. B. Martin and A. J. Martin, executors of the will of John Martin, deceased; and the estate of John Martin, deceased; and of John Landers from judgment recovered by the People of the State of California against John Martin and John Landers in an action entitled 'People of the State of California ex rel. John P. Dunn, State Controller, plaintiff, vs. Frank W. Gross, John Martin, and John Landers, defendants,' in the Superior Court of the City and County of San Francisco." Everett	132		
390	An Act making an appropriation for the construction of a sea-wall thoroughfare and piers in the harbor of San Diego. Streeter	132		
391	An Act to provide for the payment of the Controller of State's warrants which have been lost or destroyed previous to payment by the State Treasurer. Preston	132	471	944
392	An Act to amend an Act entitled "An Act to furnish arms for the use of military academies in the State," approved February 20, 1872. Preston	132		
393	An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations. De Long	138	537	844
394	An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by repealing Section 632, relating to the decisions of Court on questions of fact. Shippee	138		

Number.	TITLE.	Introduced.	Passed Senate.	Passed Assembly.
395	An Act to provide for the payment of the claim of A. B. Dibble for professional service performed by him in the case of the People, respondent, vs. O. P. Dobbins, appellant, No. 12106, Department One of the Supreme Court, August 30, 1887. Sprague	138	648	808
396	An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889. Langford	138		
397	An Act to amend an Act entitled "An Act to amend Sections 2641, 2642, and 2644 of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the powers and duties of highway officers, to the election, appointment of, and oath and bond of Roadmasters or Road Overseers," approved March 9, 1887. Langford	138		
398	An Act to prohibit the adulteration of beer and other malt liquors. Seawell	138	648	
399	An Act to amend Section 1094, an Act to establish a Political Code, approved March 12, 1872, approved March 20, 1889, relating to elections. Berry	138	798	
400	An Act to authorize the Controller of State to issue a duplicate Controller's warrant. Dargie	138		
401	An Act to amend Sections 3462 and 3463 of the Political Code of this State, relating to the filing with County Treasurers and County Recorders of lists of charges assessed by Commissioners of Assessment in reclamation districts, and making said charges a lien upon the lands assessed. Dray	138		
402	An Act to amend Section 3466 of the Political Code, relating to the collection of assessments made by Commissioners of Assessment in reclamation districts of this State. Dray	138		
403	An Act to amend Sections 3454 and 3455 of the Political Code of this State, relating to the powers and duties of Boards of Trustees of reclamation districts formed for the reclamation of swamp and overflowed lands. Dray	139		
404	An Act to appropriate money for the erection of a monument on the plot of the Sacramento Veterans of the Mexican War, in the City Cemetery of Sacramento. Wilson	139		
405	An Act to amend Section 320 of the Penal Code of the State of California, relative to lotteries. Hamill	139		
406	An Act to provide for a State Board of Charities and Correction, defining its powers and duties, and appropriating money therefor; also, prescribing the duties of State, county, and municipal officers in connection therewith. Preston	139		
407	An Act to amend Sections 2642 and 2643 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to highway officers, the appointment thereof, and their powers and duties. Flint	139		
408	An Act to divide the State into legislative districts, as required by Section 6, Article IV, of the Constitution, and to provide for the election of Assemblymen and Senators in such districts. Voorhies	141		
409	An Act to appropriate money for the erection of a monument in Golden Gate Park, in the city of San Francisco, in memory of the late General M. G. Vallejo. Ragsdale	141	674	

Number	TITLE	Introduced	Passed Senate	Passed Assembly
410	An Act to amend Section 158 of the Code of Civil Procedure of the State of California. Fraser	141		
411	An Act to amend Section 835 of the Code of Civil Procedure, relating to arrests in civil actions. Preston	142		
412	An Act to grant a right of way to Patrick Monahan over the site of the California Home for the Care and Training of Feeble-Minded Children, in Sonoma County. Ragsdale	143		
413	An Act to create the county of San Jacinto, to define the boundaries thereof, to determine the county seat by an election, and to provide for its organization and election of officers, and to classify said county. Bailey	143		
414	An Act entitled "An Act to amend Section 475 of the Political Code," providing for clerks and phonographic reporter in the office of the Attorney-General, and fixing their salaries. Carpenter	143	693	818
415	An Act entitled "An Act to amend Section 472 of the Political Code, providing for deputies in the office of the Attorney-General, and fixing their salaries." Carpenter	143	467	788
416	An Act to add a new section to the Civil Code, to be known as Section 492. Wilson	144		
417	An Act to validate and make legal acknowledgments, affidavits, and oaths made before and taken by any person acting as a Notary Public, under appointment by the Governor of the State of California, in certain cases, and to validate and make legal all the acts and transactions of such persons while acting as such Notary Public. Shippee	144		
418	An Act to amend Section 508 of the Civil Code, relating to street railroads. Mahoney	144		
419	An Act to amend Sections 498 and 502 of the Civil Code, relating to street railroad corporations. Mahoney	144		
420	An Act to amend Sections 1 and 2 of an Act entitled "An Act concerning lodging houses and sleeping apartments within the limits of [illegible] cities," approved April 4, 1876. Mahoney	144		
421	An Act to amend Section 2645 of the Political Code, relating to the duties of Road Overseers. Dargie	144		
422	An Act to amend Section 2642 of the Political Code, relating to the appointment of Road Overseers. Dargie	144		
423	An Act to amend Section 2646 of the Political Code, relating to awarding contracts for maintaining roads. Dargie	144		
424	An Act to amend Subdivision No. 4, Section 25, of an Act entitled "An Act to establish a uniform system of county and township government," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to public roads. Dargie	144		
425	An Act to amend Section 2644 of the Political Code, relating to bond and oath of Road Overseers. Dargie	144		
426	An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known and numbered as Section [illegible], relating to [illegible], and providing when the same shall be a claim against the county. Hamill	144		

Number.	TITLE.	Introduced.	Passed Senate.	Passed Assembly.
427	An Act to authorize the Trustees of municipal corporations having a voting population of less than 200 votes, to wind up the affairs of said corporation by paying off its indebtedness, disposing of its property, and turning over the proceeds to the County Supervisors for its own local improvement, etc., and to declare said corporation no longer in force. Carpenter	160		
428	An Act to amend Sections 27, 28, 29, 30, 31, 32, 33, the same comprising Part II of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relative to a system of street improvement certificates. Carpenter	160		
429	An Act to abolish certain Commissions of this State, and to establish a Department of the Interior, to define its powers, to provide for the appointment of a Commissioner of the Interior, and such other officers as the said department may require, to define the duty of said Commissioner and the other said officers, to provide for the enforcement of the rules and regulations of said department, to punish violations thereof, and to appropriate money for the support of said department. Ostrom	160		
430	An Act to amend Section 1859 of an Act to establish a Civil Code, approved March 21, 1872, relative to innkeepers. Carpenter	160		
431	An Act to amend Sections 1217, 1220, 1221, 1223, 1224, 1225, 1226, 1227, 1229, and 1230 of an Act entitled "An Act to establish a Penal Code," approved Februrry 14, 1872, relating to executions of judgments of death. Crandall	160	443	916
432	An Act fixing a bounty on coyote scalps. Seawell	161	795	930
433	An Act to add two new sections to the Penal Code, to be numbered Sections 1329½ and 1329¾, relative to paying witnesses in criminal cases. Seawell	161		
434	An Act to amend Section 290 of the Civil Code, relative to articles of incorporation. Everett	164		
435	An Act to amend Section 35 of an Act entitled "An Act to repeal the Act passed March 26, 1851, entitled 'An Act to incorporate the city of Sacramento,' and the several Acts amendatory and supplementary thereto, and to incorporate the city and county of Sacramento," approved April 24, 1858. Sprague	164	823	
436	An Act to amend Section 377 of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to actions for damages for death caused by wrongful acts or negligence. Mahoney	164		
437	An Act to add a new section to an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, to be designated as Section 377½, relating to damages in case of death. Mahoney (by request)	164		
438	An Act to add a new section to an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, to be designated as Section 376½, relating to actions for wrongful or negligent injuries to minors. Mahoney	164		
439	An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a section thereto, to be known as Section 2080, and providing for the manner of proving the formation of corporations. Mahoney (by request)	164		

Number.	TITLE.	Introduced.	Passed Senate.	Passed Assembly.
440	An Act to amend Section 376 of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to actions for the death of minors. Mahoney	164		
441	An Act to provide for public safety at steam railroad crossings, to secure flagmen therefor, and to regulate speed of engines on crossing streets and avenues. Goucher	164		
442	An Act to amend Section 3 and Section 13 of an Act entitled "An Act to promote drainage." Goucher	164	431	879
443	An Act for the relief of Peter Connolly, his assigns or legal representatives. Maher	164	523	
444	An Act to amend Section 647 of the Penal Code, concerning vagrants. De Long	165	284	697
445	An Act to amend Section 48 of the Insolvent Act of 1880. McGowan	165		
446	An Act to amend Section 49 of the Insolvent Act of 1880. McGowan	165		
447	An Act to amend Section 55 of the Insolvent Act of 1880. McGowan	165		
448	An Act to amend Section 3640 of the Political Code of the State of California, concerning the assessment of corporations, associations, and joint-stock companies. McGowan	165		
449	An Act to add a new section to the Civil Code of the State of California, said section to be numbered 1677. McGowan	165		
450	An Act to amend Section 3608 of the Political Code, relative to revenue and taxation. McGowan	165		
451	An Act creating a lien for the furnishing and construction of monuments, tombstones, and other work in cemeteries, when the sum exceeds twenty-five dollars. Dray	165		
452	An Act for the relief of the Oregon Improvement Company (a corporation) for the loss of a horse, because of the carelessness of State officials. Dargie	165		
453	An Act to provide for the superintendence of State buildings and works, the appointment of a superintending engineer, to prescribe his duties and fix his compensation, and to make an appropriation for expenses. Dargie	165		
454	An Act to amend Section 256 of the Political Code of the State of California, to provide for the printing of the daily Journal of each House of the Legislature, and to repeal Section 257 of said Code. Heacock	165	488	944
455	An Act adding a new section to the Political Code of the State of California, to be known and designated as Section 539, relative to the engrossment and enrollment of bills and other documents, and repealing Sections 248 and 249 of said Code. Heacock	165	488	944
456	An Act to amend Section 1096 of the Political Code of the State of California, in relation to registration of voters. Berry	165	561	928
457	An Act to amend Section 183 of the Political Code of the State of California, an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 17, 1887; also approved March 16, 1889. Berry	166		

Number.	TITLE.	Introduced.	Passed Senate.	Passed Assembly.
458	An Act defining the word "revenue" when used in any statute of this State, providing for the payment of the revenue from certain municipal sources into a sinking and interest fund for the payment of the annual interest and the final redemption of the bonded indebtednes of any city, or city and county, in this State. Sprague	166		
459	An Act to amend Section 17 of the Political Code of the State of California, defining the meaning of certain words. Sprague	166		
460	An Act to provide for Police Courts in cities having twenty-five thousand and under one hundred thousand inhabitants, and to provide for officers thereof. Sprague	166		
461	An Act to create and establish a State Board of Insurance, prescribe its powers and duties, and to provide for cheap and safe insurance in this State against losses by fire. Hamill	166		
462	An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending Sections 15, 22, and 23 thereof, relating to irrigation districts. Campbell	173		
463	An Act to establish a naval battalion, to be attached to the National Guard of California. Dargie	173	663	884
464	An Act to amend Sections 936 and 937 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872. G. H. Williams	173	443	603
465	An Act to appropriate money for the payment of the unpaid salary of the Deputy Reporter of the Decisions of the Supreme Court, for three months of the fortieth fiscal year. Carpenter	173	899	
466	An Act authorizing the appointment of a State Agent for the guidance and employment of discharged convicts, defining his duties, and appropriating money therefor. Preston	173		
467	An Act to regulate the licensing and powers of detectives within the boundaries of the State of California. Everett	178		
468	An Act to amend Section 53 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to powers in appealed cases. Mahoney	187		
469	An Act to amend Sections 2, 3, 4, 5, 7, 9, 13, 24, 26, 34, 35, and 37 of "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and the construction of sewers within municipalities," approved March 18, 1885, relative to the mode of assessing and otherwise providing for said work. Dargie	187		
470	An Act to amend an Act entitled "An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a Board of Directors for the government thereof, and appropriating the sum of $65,000 for the support of said Home," approved March 17, 1887. Dargie	188		
471	An Act expressing assent of the State of California to the Act of Congress approved August 30, 1890, entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an Act of Congress approved July 2, 1862," and to the purposes of the grants of moneys authorized thereby, and to all the provisions thereof. Dargie	188	724	957

Number.	TITLE.	Introduced.	Passed Senate	Passed Assembly
472	An Act for the protection of policy holders in fire insurance companies. G. J. Campbell	188		
473	An Act to amend Section 35 of "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and the construction of sewers within municipalities," approved March 18, 1885, and also Section 3 of an Act amendatory thereof, approved March 14, 1889. Maher	188		
474	An Act for the relief of Michael Maloney. Maher	188		
475	An Act to add a new section to the Penal Code, to be known and numbered Section 655, relating to dealing in options. Wilson	188		
476	An Act to amend Section 4102 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the age, citizenship, and residence of district and township officers, and their deputies. Carpenter	188		
477	An Act to provide for the formation, organization, and government of sanitary districts, and to provide for the laying and maintaining of sewers therein, the issuing of bonds therefor, and the levying and collection of taxes therein. Denison	188		
478	An Act making an appropriation to pay the Assistant Journal Clerks of the Senate, twenty-sixth session of the Legislature, for completing the Journal of the Senate. Denison	188	415	941
479	An Act to provide for the establishment of High Schools in the State of California. Voorhies	189	583	815
480	An Act to amend Section 1370 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the appointment of a married woman as administratrix of an estate of a deceased person. Maher	189	405	473
481	An Act for the relief of George Dougherty. G. H. Williams	190		
482	An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of the county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties. Byrnes	195	653	
483	An Act to appropriate money to pay the claim of Bartolo Sepulveda, his executors, administrators, or assigns, for unlawful imprisonment. Bailey	195		
484	An Act to provide for the payment to William Carey Jones, out of the moneys heretofore appropriated for the compilation of a State series of school text-books, for his services in compiling the elementary book on Civil Government for the State series of school text-books, as provided in the Act approved March 18, 1889, and in accordance with an agreement made with said Jones by C. W. Childs, as a committee of the State Board of Education, to whom said matter was referred. Preston	195	846	
485	An Act to amend Paragraph 27 of Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments." Shippee	201		
486	An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the registration of voters, by adding a new section thereto, to be designated as Section 1118. Simpson	201		

Number.	TITLE.	Introduced.	Passed Senate	Passed Assembly.
487	An Act to amend Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, amended March 14, 1885, March 18, 1885, and as amended March 17, 1887, and March 16, 1889, by adding a new subdivision to said Section 25, to be known and designated as Subdivision 39. Simpson	201		
488	An Act to amend Sections 164 and 211 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, and amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relative to the government of counties. Simpson	202		
489	An Act to amend an Act entitled "An Act to provide for the construction, maintenance, and regulation of fishways in streams naturally frequented by salmon, shad, and other migratory fish," approved April 16, 1880. Maher	202		
490	An Act to amend Sections 626, 633, 636, and 637 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game. Maher	202		
491	An Act to amend an Act approved March 8, A. D. 1872, entitled "An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds in certain counties of this State. Maher	202		
492	An Act to amend an Act entitled "An Act to provide for the building and furnishing of the Home for Soldiers' Widows and Orphans, and Army Nurses, and for the State to inquire into the management of such institution by a uniform rule proportioned to the number of inmates in said institution, for the management of the same, and for the support of indigent persons residing in the said Home," approved March 16, 1889. Bailey	202	472	943
493	An Act making an appropriation to pay the claim of Isador Alexander. De Long	202		
494	An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending Sections 18, 24, 25, and 26 thereof, relating to the assessment of property and the collection of such assessments. Committee on Irrigation and Water Rights	202		
495	An Act to amend Section 1107 of the Civil Code of the State of California. Carpenter	202		
496	An Act to amend Section 1222 of the Code of Civil Procedure, in relation to judgments and orders in cases of contempt, and providing for appeals therefrom. Dray	203		
497	An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending Section 15 of said Act. Dray	203		
498	An Act to amend an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding thereto five new sections, to be known as Sections 539*a*, 539*b*, 539*c*, 539*d*, and 539*e*, in Chapter IV of Part II, Title VII, concerning attachments. Dray	203		

Number.	TITLE.	Introduced.	Passed Senate.	Passed Assembly.
499	An Act to amend Sections 1521, 1532, 1533, 1543, 1550, 1663, and 1696, and to repeal Sections 1625, 1669, 1682, and 444 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools. McGowan	203		
500	An Act to add an additional section to the Political Code, to be numbered 4259, relating to the qualifications of District Attorney. Voorhies	203	492	
501	An Act to amend Section 1505 of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus. Heacock	204	431	
502	An Act to create the office of Attorney for the State Board of Health, and the Board of Health of the City and County of San Francisco. Broderick	204	599	793
503	An Act to provide for the investigation of the marine fishes of the bays and coast line of the State of California, and to provide for their protection and restoration, and the introduction of new varieties. Flint	204		
504	An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding to Chapter VII, Title IX, Part I thereof, three new sections, numbered, respectively, 299, 300, and 301, forbidding the exhibition, opening, or maintaining of a bull, bear, cock, or prize fight, horse race, circus, gambling house or saloon, or any barbarous or noisy amusement, or the keeping, conducting, or exhibiting of any theater or other place of musical, theatrical, or operatic performance where intoxicating drink is sold, given away, or used, on Sunday; forbidding, also, the keeping open on that day of any store, workshop, bar, saloon, banking house, or other place of business for business purposes. R. H. Campbell (by request)	216		
505	An Act for the relief of George Nightingale, Michael Ryan, Joseph Rosa, Bridget Davis, Bernard Ward, Ellen Burdett, John Wrixon, Michael O'Neil, Anna Elizabeth Sneider, Eliza Kelleher, William J. Nightingale, Margaret Coogan, Bridget L. Ryan, Elizabeth Overend, Thomas Dillon, Patrick Carrigan, Bridget F. Houston, Timothy Murphy, James McGeough, Otis Berge, James Hartford, James Toohey, and Ellen J. McArevey, whose property has been taken and destroyed by blasting and excavating Telegraph Hill, in the City and County of San Francisco, for rock and earth with which to construct the State seawall along the port of San Francisco, in the State of California. Banks (by request)	216		
506	An Act to authorize the Board of State Harbor Commissioners to adjust and pay the claim of Daniel J. Logan. Banks (by request)	216		
507	An Act to amend Section 626 of the Penal Code of California, in relation to the protection and preservation of game birds and animals. Simpson	216		
508	An Act to amend Section 400 of the Penal Code of California, approved March 19, 1889, in relation to the suppression and prevention of glanders or farcy. Simpson	216		
509	An Act to provide for the division of existing counties, and for the creation and organization of new counties, and names therefor; to determine the location of county seat by an election; to declare the manner of providing officers; to provide for the support of such new counties by the issuance of bonds; and to determine what portion of old county debt is chargeable to such new county. Preston	216		

Number.	TITLE.	Introduced.	Passed Senate.	Passed Assembly.
510	An Act to amend an Act entitled "An Act to establish a Political Code," and relating to public roads, their repair and maintenance. Preston	217		
511	An Act to amend Sections 276 and 277 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to the admission of attorneys and counselors at law. Heacock	217	431	
512	An Act to provide for the appointment of an Inspector of Live Stock in each county of this State; to fix his compensation, and prevent the spread of glanders, farcy, and other infectious or contagious diseases among live stock, and fixing a penalty for the using, keeping, buying, or selling of any animal infected with glanders, farcy, or other infectious or contagious diseases. Shippee	217		
513	An Act to amend an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose." Maher	217		
514	An Act to fix the width of public highways, prevent encroachments thereon, and to give Boards of Supervisors the power to determine their location, extent, width, and grade. McComas	217		
515	An Act to authorize the Board of State Harbor Commissioners to pay the claim of the Oregon Improvement Company. Dargie	217		
516	An Act to enable the Coulterville and Yosemite Turnpike Company, a corporation, to sue the State of California for the loss and damage suffered and sustained by said corporation, by the construction of a road by the Yosemite Turnpike Road Company, under and by virtue of an Act of the Legislature of the State of California entitled "An Act granting the right of way to the Yosemite Turnpike Road Company over the Yosemite Grant," approved February 17, 1874, and for the relief of said Coulterville and Yosemite Turnpike Company. Dargie	217	584	917
517	An Act relating to the roofing of public buildings in the State of California. Fraser	217	609	
518	An Act to authorize the Board of State Capitol Commissioners to provide a suitable residence for the Governor, and to appropriate money therefor. Seawell	223		
519	An Act to amend Sections 8, 18, 21, and 23 of an Act entitled "An Act to incorporate the town of Red Bluff, Tehama County, California," approved March, 1876, and amended March, 1878. R. H. Campbell (by request of Senator Wilson)	223		
520	An Act to provide for the creation of new counties. Berry	227		
521	An Act to repeal an Act entitled "An Act making appropriations for the purchase of additional machinery and the erection of additional buildings for the manufacture of jute goods for the State Prison at San Quentin, and other expenses incidental and relating thereto," approved March 24, 1887. G. J. Campbell	227		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
522	An Act to amend Section 221 of an Act entitled "An Act to amend Sections 13, 16, 17, 25, 57, 70, 71, 147, 162, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 177, 178, 179, 180, 181, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 195, 196, 201, 202, 203, 206, 209, 211, and 225 of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved March 14, 1883, as amended March 14, 1885, March 18, 1885, and March 17, 1887, and to insert two new sections, to be numbered 188½ and 201½, and to create two new classes of counties of the twenty-sixth and one half class and of the thirty-ninth and one half class, relating to the government of counties, and to repeal Section 110½ of said Act," approved March 16, 1889. Heacock	227		
523	An Act releasing to Jesse B. Hart and his assigns certain lands in San Francisco, and authorizing the Governor to make conveyance therefor. De Long	239		
524	An Act to add a new section to Chapter XI of Title IX of Part I of an Act entitled "An Act to establish a Penal Code of the State of California," approved February 14, 1872. Mahoney	239		
525	An Act to amend Section 549 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations formed to supply water. Mahoney	239		
526	An Act providing for the appointment of a Commission to make arrangements for the proper reception of the American Library Association, and appropriating money to defray the expenses thereof. McGowan	239		
527	An Act to amend Section 163 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889. McGowan	239		
528	An Act to pay the claim of John Mullen, for services rendered in collecting from the United States money due the State of California on account of Indian war claims. Langford	241	612	947
529	An Act to amend Section 3555 of the Political Code. Heacock	241		
530	An Act to provide for payment for private property heretofore taken for public use. Banks	241	590	817
531	An Act to amend Section 751 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court. Carpenter	241	822	936
532	An Act for the protection of policy holders in fire insurance companies. Carpenter	241		
533	An Act to amend Section 57 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to county officers. Carpenter	241		
534	An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered Section 593, relating to roads and highways. Carpenter	241		
535	An Act to amend Section 241 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to Grand Juries. Carpenter	241		

Number.	TITLE.	Introduced.	Passed Senate.	Passed Assembly.
536	An Act to encourage cooperation, and to provide for the formation of associations for the purpose of conducting any lawful business and dividing the profits among the members thereof. Crandall	241		
537	An Act to amend Section 52 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to the appellate jurisdiction of the Supreme Court. Carpenter	241	431	
538	An Act to amend Section 1343 of an Act entitled "An Act to establish a Penal Code," approved April 14, A. D. 1872, in relation to appeals. Carpenter	241		
539	An Act to amend Section 324 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the transfer of stock. De Long	242		
540	An Act requiring foreign insurance companies doing business in this State to pay two per cent of the gross premiums collected into city, or city and county treasuries. W. H. Williams	244		
541	An Act to amend Section 616 of the Political Code, relative to foreign corporations and the conditions on which they may transact business in this State. W. H. Williams	244		
542	An Act to amend Sections 2638 and 2596 of the Civil Code, relative to insurance policies. W. H. Williams	244		
543	An Act entitled an Act for the relief of the widow of Albert P. Crigler. Ragsdale	249		
544	An Act to abolish the office of Justice of the Peace in and for every municipal corporation in the State of California having a population of 20,000 inhabitants. Simpson	249		
545	An Act to define the duties of, and to license land surveyors. Crandall	249	525	
546	An Act to amend Section 2652 of the Political Code, relating to road poll tax. Ostrom	249		
547	An Act to amend Section 335 of the Political Code. Streeter	249		
548	An Act to amend Sections 332, 333, and 334 of the Political Code. Streeter	249		
549	An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, and amended by amendatory Act, approved March 6, 1889. Carpenter	258		
550	An Act to ascertain the amount and provide for the payment of damages done to the property of J. G. Ziegler, Christian Mangels, and Diedrich Steffens, executors of the last will of Martin Mangels, deceased, Thomas Foley, E. E. Goetze, C. Hildebrant, H. Schammel, Peter Ginochio, John Dondero, and George Seekamp, whose property has been damaged by reason of the change of grade of Montgomery Avenue in the City and County of San Francisco, in pursuance of an Act entitled "An Act to change and modify the grade and to provide for the grading and regrading of certain portions of Montgomery Avenue, and of certain streets intersecting Montgomery Avenue, in the City and County of San Francisco," approved April 3, 1876. Banks	258		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
551	An Act supplementary to an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, A. D. 1883, and being in relation to the organization of new counties, and the classification thereof. G. J. Campbell	259		
552	An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California. Britt	259	699	
553	An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to vacancies in office. Sprague	259		
554	An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto certain new and additional sections to provide the mode of carrying into effect certain provisions of said Act, relative to changing grades. Maher	267	584	916
555	An Act to add a new section to the Political Code, numbered 802, providing for recording the commission of a Notary Public. Ostrom	267		
556	An Act to validate and make legal proofs and acknowledgments of instruments made before and taken by Court Commissioners after the third day of April, 1880. Ostrom	267		
557	An Act to encourage the cultivation of ramie in the State of California, to provide a bounty for ramie fiber, and to make an appropriation therefor; to appoint a State Superintendent of Ramie Culture, and make an appropriation for his salary. Ostrom	267		
558	An Act to prevent destruction by fire of property of contiguous owners. Flint	267		
559	An Act to amend Sections 2618, 2621, and 2643 of the Political Code of the State of California, and to add a new section thereto, to be numbered 2697, all relating to highways. Carpenter	268		
560	An Act to prohibit the coming of Chinese persons into this State, whether subjects of the Chinese Empire or otherwise; and to provide a registration, and fix the status of all Chinese persons now resident of this State. Maher	282		
561	An Act to extend the jurisdiction of the Board of State Harbor Commissioners over East Street, San Francisco. Simpson	282	489	888
562	An Act to provide for the organization and government of districts to cut through ridges, to allow rapid flow from upper ponds down through the troughs to our great navigable rivers to tide water. Wilson	282		
563	An Act to amend Sections 1577, 1578, and 1579 of the Code of Civil Procedure, relating to mortgages and leases in certain cases. G. J. Campbell	282		
564	An Act to declare the bridge across Feather River, extending from Fifth Street, at the city of Marysville, in the county of Yuba, to the opposite bank of said river, a free bridge. Ostrom	282	430	917
565	An Act to amend an Act entitled "An Act to reorganize Swamp Land District No. 70, of Sutter County, and to provide for the construction, maintenance, and repairs of levees therein," approved March 27, 1878. Ostrom	282	561	638

Number.	TITLE.	Introduced.	Passed Senate.	Passed Assembly.
566	An Act to amend Sections 1352, 1370, and 1751 of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the disabilities of married women to act as executors, administrators, or guardians. Crandall	284	517	792
567	An Act to amend Section 309 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to declaring dividends by Directors of corporations, and repealing Section 309 of said Code. Carpenter	289	865	963
568	An Act to establish Boards of Commissioners for the parole of and government of paroled prisoners. McGowan	289		
569	An Act to empower the State Board of Harbor Commissioners to rectify the alignment of East Street, from Pacific Street to Market Street, in the City and County of San Francisco, and to sell, acquire, and condemn adjacent property. Simpson	289	522	909
570	An Act to authorize Robert C. Ball to sue the State of California. Sprague	289		
571	An Act to amend Sections 265 and 266 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to Secretaries, Bailiffs, and Librarian of the Supreme Court. Harp	289		
572	An Act to amend Section 2314 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Librarian of the Supreme Court Library. Harp	290		
573	An Act to amend Section 739 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the salaries of officers of the Supreme Court. Harp	290		
574	An Act to provide for the deficiency in the appropriation for expenses of the Supreme Court, under Section 47 of the Code of Civil Procedure, for the fortieth fiscal year. Harp	290		
575	An Act to provide for the deficiency in the appropriation for expenses of the Supreme Court, under Section 47 of the Code of Civil Procedure, for the forty-first fiscal year. Harp	290		
576	An Act to amend Section 182 of the Penal Code, relating to conspiracy. G. J. Campbell	290		
577	An Act to amend Section 2652 of the Political Code of the State of California, relating to the levy and collection of road poll taxes. McComas	290		
578	An Act for the relief of Barnaby Dougherty. Banks	293		
579	An Act for the relief of Emma Kelly, widow of G. H. Kelly, and appropriating $7,500 therefor. G. H. Williams	293	608	825
580	An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by adding thereto a new section, to follow Section 348 thereof, to be numbered Section 349, relating to the time of commencing and maintaining action other than for the recovery of real property. Sprague	301		
581	An Act to amend Section 1431 of the Code of Civil Procedure of California. Ostrom	301	646	

Number.	TITLE.	Introduced.	Passed Senate	Passed Assembly.
582	An Act to amend Section 197 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, relating to the salary of the county officers in the counties of the thirty-fifth class. Goucher	314		
583	An Act to amend Section 2 of an Act entitled "An Act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance, within this State, of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885. McGowan	314	649	954
584	An Act to amend Section 1243 of the Penal Code of the State of California, relative to the stay of the execution of the judgment in criminal cases, pending an appeal to the Supreme Court. Heacock	325	431	
585	An Act to amend Section 2607 of an Act entitled "An Act to add thirty-four sections to an Act of the Legislature of the State of California to establish a Political Code, approved March 12, 1872, said sections to be numbered and designated as Sections 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, and 2608, all relating to the establishing of a Board of State Harbor Commissioners for the bay of San Diego," approved March 18, 1889, relative to the salaries and pay of the officers and employés of the Harbor Commissioners of the Bay of San Diego. Heacock	325	384	633
586	An Act to repeal an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor," approved March 13, 1887. Bailey	326		
587	An Act to repeal an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school text-books, and appropriating money therefor," approved February 26, 1885. Bailey	326		
588	An Act entitled an Act to amend Sections 269, 270, 271, 272, 273, and 274 of Chapter III of Title IV of the Code of Civil Procedure. McComas	326		
589	An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of the State having 50,000 inhabitants and over that number; providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors. Broderick	326	732	
590	An Act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages. Dray	326	734	831
591	An Act to provide for establishing title to real estate by judgment of Court. Dray	326		
592	An Act to amend Section 13 of an Act entitled "An Act to create a Police Relief, Health, and Life Insurance and Pension Fund in the several counties, cities and counties, cities, and towns of the State," approved March 4, 1889. Mead (by request)	326		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
593	An Act to authorize the State Prison Directors of the State of California to employ any unemployed prisoners to construct roads to the State Prison at San Quentin. De Long	327		
594	An Act to amend the Political Code of the State of California, relating to the duty of Sheriff. Langford	329		
595	An Act to pay the claim of Joseph C. Gorman, for services rendered as member of the Constitutional Convention, and appropriating money therefor. Langford	329		
596	An Act to amend Section 1920 of the Code of Civil Procedure, relating to entries in official books and records. Denison	330		
597	An Act authorizing persons having claims against the State, or against counties, to prosecute and establish them in Courts, and providing for the payment of judgments. Heacock	330	633	
598	An Act to amend Section 2955 of the Civil Code, relating to mortgages. Berry	330		
599	An Act entitled an Act relating to the working, rights of way, easement, and drainage of mines in the State of California. R. H. Campbell	330	521	849
600	An Act making an appropriation for additional buildings and improvements of the Southern California State Hospital for the Insane. Streeter	331	638	858
601	An Act making an appropriation to pay the Journal Clerk of the Assembly for completing the Journal of the Assembly of the twenty-sixth session of the Legislature. Ragsdale	332	446	941
602	An Act to regulate the sale, at retail, of spirituous, malt, or fermented liquor, or wine, in the State of California, and to provide for the issuance of license. Everett	332		
603	An Act to amend Sections 332, 333, 334, and 335 of the Political Code. De Long	332		
604	An Act to amend Section 5 of the Political Code, relating to the duties of the Superintendent of State Printing. De Long	332		
605	An Act to provide pensions for teachers of public schools of the State of California. Carpenter	334		
606	An Act to amend Section 3636 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the assessment of property. Crandall	334		
607	An Act to add a new section, to be known as Section 593 of the Penal Code of the State of California, making it a felony for a person, company, or corporation operating irrigating ditches to refuse to supply water for domestic and irrigating purposes. Crandall	335		
608	An Act to add a new section, to be known as Section 553 of the Civil Code of the State of California, concerning the sale of water for domestic and irrigation purposes. Crandall	335		
609	An Act to amend Section 608 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relative to cemetery corporations. Everett	335	538	797

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
610	An Act to amend an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such districts," by amending Sections 3, 8, and 13 thereof. Mead	342	733	957
611	An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding to Article II, of Chapter II, of Title VI, of Part III thereof, a new section, numbered 2634, authorizing the use on public highways, except in incorporated cities, of traction engines and road locomotives. Mead	342		
612	An Act to define the boundary, and provide for the government of Levee District No. 6, of Sutter County, California. Ostrom	342		
613	An Act to provide for funding the indebtedness of Levee District No. 6, of Sutter County, and to provide for the payment of such funded debt. Ostrom	342		
614	An Act to more honestly equalize taxes on the people by providing for a tax of one half per cent on the incomes of all associations, firms, corporations, and individuals exceeding $5,000, as provided in Section 2, Article XIII of the Constitution. Wilson	342		
615	An Act authorizing the Governor of the State of California to offer a reward for the arrest and conviction of the party or parties who murdered Mrs. John Greenwood, in Napa County, on the evening of February 9, 1891, and making an appropriation to pay the same. G. J. Campbell	343	372	419
616	An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by adding thereto a new section, to be known as Section 41½. R. H. Campbell	344		
617	An Act to provide for the payment of funded indebtedness of the State of California, and to contract a funded debt for that purpose. De Long	348	466	789
618	An Act to amend Section 3866 of the Political Code, relating to the time of settlement of County Treasurers with the State Controller. Berry	348	614	
619	An Act to amend Section 3868 of the Political Code, in relation to the duties of County Auditors in making settlement with the State Controller. Berry	348	614	
620	An Act to amend Section 158 of the Code of Civil Procedure of the State of California, relating to the residence of Judges of the Superior Court. Streeter	352		
621	An Act to provide for the formation, government, operation, and distribution of sanitary districts in any part of the State for the construction of sewers and other sanitary purposes, and acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and distribution of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds and the disposal of proceeds. Byrnes	355		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
622	An Act to amend an Act entitled "An Act to regulate and govern the State Prisons of California," approved March 19, 1889. Preston	365	646	
623	An Act to validate proceedings for the reorganization of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and also since the passage of the Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883. McComas	371		
624	An Act appropriating money for the erection of and maintenance and support of the Sacramento Foundling Home. Wilson	371	589	860
625	An Act to authorize the State Board of Education to adopt a uniform series of text-books for use in the common schools throughout the State. Bailey	371		
626	An Act making an appropriation for the contingent expenses of the Senate for the twenty-ninth session of the Legislature. Maher	379	381	420
627	An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 791 of said Code, relating to the appointment and number of Notaries Public in the several counties of this State, and to repeal Section 793 of said Code, relating to the term of office of Notaries Public, approved March 19, 1889. McComas	379	854	
628	An Act to amend Section 1793 of the Political Code of the State of California, relating to the City Board of Education. Crandall	383		
629	An Act to amend Sections 27, 28, 29, 30, 31, 32, and 33, the same comprising Part II of an Act entitled "An Act to provide for work upon streets and lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, relative to a system of street improvement bonds. Dargie	383		
630	An Act to amend Sections 1305 and 1306 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to forfeiture of the undertaking of bail. Carpenter	395		
631	An Act to establish law libraries. Carpenter	395		
632	An Act to amend Section 137 of the Civil Code of the State of California, relating to alimony, the expense of an action for divorce, and the action for permanent support and maintenance. Maher	395		
633	An Act to amend Section 429 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relative to infraction of the revenue law. Maher	395		
634	An Act to amend Section 3630 of an Act entitled "An Act to establish a Political Code," relative to revenue, approved March 12, 1872. Maher	396		
635	An Act to enable municipal corporations in the State of California owning public parks, or city reservations of lands, to preserve the same for public use, and to lease the same for a period not to exceed twenty years, in such manner not to deprive the public of the use thereof. Crandall	396		
636	An Act to amend Section 616 of the Political Code, relative to insurance companies. Crandall	403		

Number.	TITLE.	Introduced.	Passed Senate	Passed Assembly
637	An Act to provide for a deficiency in the appropriation for the expenses of the State Board of Railroad Commissioners. Denison	403		
638	An Act to amend Section 737 of the Political Code, fixing and providing for the salaries of the Judges of the Superior Courts. De Long	403	670	865
639	An Act to provide for the employment of destitute citizens, and making appropriations therefor. Mahoney	406		
640	An Act to amend Sections 38 and 39 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883. Maher	406		
641	An Act to add a new section to the Political Code, to be numbered 2555, relating to the leasing of wharves, docks, and landings under control of the Harbor Commissioners. G. H. Williams	419		
642	An Act to add a new section to the Penal Code, to be numbered Section 653½, relating to punishment for the violation of the provisions of Section 2555 of the Political Code. G. H. Williams	419		
643	An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved April 15, 1880, and all Acts amendatory thereof. Heacock	420	637	698
644	An Act authorizing the Attorney-General to settle and dismiss a certain action entitled "The People of the State of California ex rel. John P. Dunn, State Controller, plaintiff, vs. Frank W. Gross, John Martin, and John Landers, defendants," wherein judgment was obtained against said defendants in the Superior Court of the City and County of San Francisco, on the thirteenth day of December, 1889, which action is numbered 12,902 in said Court, now on appeal to the Supreme Court, upon payment to him for the use of the State of such money as he may deem advisable to accept. Everett	424	846	955
645	An Act to repeal an Act entitled "An Act to provide for reorganizing and better regulating the Paid Fire Department of the City and County of San Francisco," approved March 28, 1878. Mahoney	426		
646	An Act regulating the payment of life insurance policies, and the payment of premiums thereon. G. H. Williams	426		
647	An Act to amend Sections 1183, 1184, and 1187 of the Code of Civil Procedure of the State of California, as amended March 16, 1887, and Section 1195 of the said Code of Civil Procedure, as amended March 18, 1885, relating to liens of mechanics and others. Banks	433	559	
648	An Act to promote silk culture in the penal, reformatory, and charitable institutions of the State of California, and to encourage sericulture throughout the State, and to provide for the expenses thereof. Hamill	437		
649	An Act amendatory of and supplemental to an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such district," approved February 16, 1889. Bailey	437		

Number.	TITLE.	Introduced.	Passed Senate	Passed Assembly.
650	An Act to amend Section 1279 of the Penal Code, relating to the qualifications of bail. Maher	437		
651	An Act to amend Section 494 and Section 1057 of the Code of Civil Procedure. Maher	437		
652	An Act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now resident of this State, and fixing penalties and punishment for violation of this Act, and providing for deportation of criminals. Maher	437	673	766
653	An Act establishing a committee for the revision of the laws. Maher	438		
654	An Act to provide for the extermination of squirrels and gophers. Ostrom	438		
655	An Act to provide for the publication and distribution of a State Blue Book, or Roster. Preston	438	858	953
656	An Act for the preservation of the timber lands of California. Goucher	438		
657	An Act to amend Section 3460 of the Political Code of the State of California, in reference to making assessments on lands in swamp land districts. Sprague	438		
658	An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be known as Section 2100, relating to official publications. Broderick	438		
659	An Act to amend Sections 2292, 2293, 2294, and 2296 of the Political Code, relating to the State Library. Banks	438	734	
660	An Act making an appropriation to pay the deficiency in the appropriation for stationery, etc., for the Legislature and State officers, for the forty-second fiscal year. Dray	438	631	
661	An Act relating to the transfer of moneys now in the State Treasury, in what is known and designated as Estate of Deceased Persons Fund, to the General Fund, as a loan. De Long	438	576	790
662	An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General, for the forty-second fiscal year. De Long	438	632	958
663	An Act making an appropriation to pay the deficiency in the appropriation for the traveling expenses of the Attorney-General, for the forty-second fiscal year. De Long	438	633	
664	An Act making an appropriation to pay the deficiency in the appropriation for expenses that may be incurred by the Attorney-General, for the fortieth fiscal year. De Long	439		
665	An Act making an appropriation to pay the deficiency in the appropriation for the Attorney-General, for the forty-second fiscal year, for costs and expenses of suits wherein the State is a party in interest. De Long	439	633	
666	An Act to amend Section 5 of an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing a State series of school textbooks, and appropriating money therefor," approved February 26, 1885. Dray	439	828	955

Number.	TITLE.	Introduced	Passed Senate	Passed Assembly
667	An Act to add a new section to the Code of Civil Procedure of California, to be known as Section 1641, relating to the settlement of accounts of deceased executors, administrators, and guardians. McGowan	439		
668	An Act to amend Section 2652 of an Act entitled "An Act to establish a Political Code of the State of California," relating to road poll tax. Carpenter	449		
669	An Act to add a new section to the Political Code of the State of California, to be numbered 497½, relative to electrical railways in cities or towns. Carpenter	449		
670	An Act to amend "An Act to establish a Political Code of the State of California," approved March 12, 1872, relating to lotteries. Carpenter	449	859	
671	An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water rights and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, amending Section 15 thereof, relating to elections concerning the bonding of irrigation districts. Carpenter	449		
672	An Act to prevent fraud upon travelers. G. H. Williams	449		
673	An Act to amend an Act entitled "An Act to provide for Police Courts in cities having 10,000 and under 25,000 inhabitants." Streeter	449		
674	An Act to authorize payment for certain services rendered by Justices of the Peace in counties of the tenth (10) class, as formerly classified and designated by an Act of the Legislature of the State entitled "An Act to establish a uniform system of county and township governments," etc. R. H. Campbell	450	520	
675	An Act to amend Section 3770 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the costs and fees to be collected by the Tax Collector at the time of making sales of property for delinquent taxes. Carpenter	450		
676	An Act to provide for the disinfection of trees, shrubs, and vines imported into the State, and to provide a punishment for failure to disinfect. Bailey	450		
677	An Act to amend Section 269 of the Political Code. G. H. Williams	450		
678	An Act to establish a uniform system of county and township governments. G. J. Campbell	457	841	913
679	An Act authorizing and directing the Clerk of the Supreme Court of the State of California to make a new attorney roll of all attorneys admitted to the Supreme Court from the organization thereof. Harp	457		
680	An Act to amend Section 2137 of the Political Code, in regard to the powers and duties of the Board of Directors of the Insane Asylum at Stockton. De Long	458		
681	An Act for the relief of Colonel Jonathan D. Stevenson. Maher	459		
682	An Act to amend Section 599 of the Civil Code of the State of California, relating to benevolent and religious corporations. Dargie	462		

Number.	TITLE.	Introduced.	Passed Senate	Passed Assembly
683	An Act to cede jurisdiction to the United States over certain lands. Sprague	468	767	
684	An Act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve. De Long	483	645	905
685	An Act authorizing the State Board of Examiners to sell old furniture, and all material belonging to the State, and not required for public use. De Long	483	842	955
686	An Act to legalize conveyances made to or by homestead associations and homestead corporations after the expiration of the period for which such associations and corporations were formed, and to give surviving Directors power to settle the affairs of such corporations. Hamill	501	875	
687	An Act to amend Section 2 of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than 3,000 and less than 10,000 inhabitants, to obtain waterworks;' also, an Act to repeal an Act, approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State.'" Ragsdale	502		
688	An Act to authorize the Directors of the Veterans' Home Association to exchange certain lands in the City and County of San Francisco for certain other property belonging to said city and county, or for a lease of said property. Maher	528	649	778
689	An Act to appropriate the sum of six thousand one hundred and forty-four dollars, to pay the claim of S. V. Treadway and David Kettleman, assignees of Mary Treadway, Sarah E. Trotter, Richard Trotter, Mary J. Furber, and Eldridge G. Furber, for money illegally paid the State of California. Langford	604	854	
690	An Act to add a new section, to be known as Section 684 of the Political Code, in regard to the appointment of and fixing the salary of an assistant to the Secretary of the State Board of Examiners, and to appropriate money for the payment of his salary. Ostrom	635	654	826
691	An Act making an appropriation for the contingent expenses of the Senate for the twenty-ninth session of the Legislature. Byrnes	639	653	679
692	An Act to appropriate money to pay the claim of William M. Pierson and Robert B. Mitchell, for moneys disbursed by them in certain legal proceedings brought on behalf of the State of California under the employment of the Attorney-General. Seawell	640	704	
693	An Act ceding to the United States of America jurisdiction over the Post Office site in San Francisco. Heacock	671	824	891
694	An Act to amend Section 1599 of an Act entitled "An Act to establish a Political Code," providing for certain exceptions in school elections. Goucher	704	745	

Number.....	TITLE.	Introduced	Passed Senate	Passed Assembly
695	An Act for the relief of A. J. Bourn, for personal injuries received by him while in the service of the State. Seawell.....	718	747	
696	An Act authorizing the Governor, Secretary of State, and the Attorney-General of the State of California, constituting the State Board of Examiners, to receive and receipt for, on behalf of the State of California, the money due the State from the United States Government under an Act of Congress known as the "Direct Tax Bill," and authorizing the Governor, Secretary of State, and Attorney-General to execute, upon behalf of the State of California, a release in full satisfaction of all claims against the United States on account of the levy and collecting of the direct tax. De Long.....	742	749	869
697	An Act to authorize the use of the ballot paper now the property of the State. Preston.....	743	750	958
698	An Act to appropriate five thousand dollars for the purpose of sending an expert to Australia, New Zealand, and adjacent countries, to collect and import into this State parasites and predaceous insects. Heacock.....	744		
699	An Act to provide a salary for the Keeper of the Archives in the office of the Secretary of State, for the balance of the forty-second fiscal year. Heacock.....	769	798	932
700	An Act appropriating money to pay the salary of phonographic reporter in the Attorney-General's office, from the first of April to the first of July, 1891. Preston.....	785	786	933
701	An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate, twenty-ninth session. McComas.....	785	786	864
702	An Act for the relief of Jonathan D. Stevenson, and to appropriate money therefor. Mead.....	790	822	883
703	An Act to increase the number of Judges of the Superior Court of the county of Fresno, State of California, and for the appointment of an additional Judge of such Court in said county, and to provide for the payment of salary therefor. Goucher.....	795	813	
704	An Act appropriating money for the payment of the salary, from March 24, 1891, to July 1, 1891, of one Deputy Attorney-General. Berry.....	865	877	958

SENATE RESOLUTIONS.

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
1	Relative to United States Senate Bill No. 8150. McGowan	55	208	524
2	Relative to the erection of a gun factory at Benicia for finishing and assembling high power guns. G. J. Campbell	53	119	149
3	Relative to the election of United States Senator. Ostrom	54		
4	Relative to the abolishment of the duty on grain bags, burlaps, gunnys, or gunny cloth. Langford	92	302	524
5	Requesting Congress to enact a law limiting or prohibiting foreign immigration. McGowan	91		
6	Relative to the establishment of a postal telegraph and an express department in connection with the postal service of the United States. McGowan	70		
7	Relative to memorializing Congress to provide fortifications for the Pacific Coast, and especially for San Francisco harbor. Ostrom	72	283	522
8	Memorializing Congress to loan money to farmers at 2 per cent per annum. Wilson	28	194	329
9	Relating to memorializing Congress to loan money to farmers at 2 per cent per annum. Wilson	29	194	
10	Relating to the great corporations and giant monopolies. Wilson	105		
11	Memorializing Congress to pass an Act forfeiting to the General Government the lands granted to certain railroads, because of non-compliance by them with the Acts of Congress granting said lands. Ostrom	161	283	
12	Relative to furnishing Kern County with one set of California Reports. Berry	166		
13	Relative to a uniform system of national money circulating medium. Carpenter	174		
14	Relative to the taxation of greenbacks, or Treasury notes. Heacock	211		
15	Relative to the absolute prohibition of the importation of prepared opium. Heacock	242	299	524
16	Requesting the Congress of the United States to pass the bill to promote the shipping interests. Maher	309	335	
17	Relative to the mining industry of California. Voorhies	328	460	777
18	Relative to the Nicaragua Canal. De Long	335	383	485
19	Relative to retaining troops at Fort Bidwell, California. Mead	338	338	421

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
20	Relative to the reserving a reasonable amount of the grazing land of the Round Valley Indian Reservation for the use of the Indians of said reservation. Mahoney	352		
21	Relative to the indebtedness of the Pacific Railroads to the General Government. Ostrom	442	442	763
22	Relative to the compensation of the enumerators who took the population of the State of California for the eleventh census of the United States. Heacock	455		
23	Relating to a uniform system of national money circulating medium. McComas	455		
24	Relative to the Columbian World's Exposition at Chicago in 1893. R. H. Campbell	487	487	
25	Relative to memorializing Congress on reopening the hydraulic mines. Carpenter			
26	Relative to the passage of the Conger Lard Bill by Congress. Heacock	557	557	605
27	Relative to surveying and establishing the eastern boundary line of the State of California. Fraser	759	798	

SENATE CONSTITUTIONAL AMENDMENTS.

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
1	To propose to the people of the State an amendment to the Constitution of the State, relative to the taxation of mortgages and deeds of trust. Carpenter	54		
2	To amend Section 18 of Article XI of the Constitution, relative to the increasing of indebtedness or liability by any county, city, town, township, Board of Education, or school district. Dargie	54		
3	A resolution to propose an amendment to Section 9 of Article I of the Constitution of California, relating to the freedom of speech and of the press. Goucher	54	420	
4	To propose that Section 18 of Article XI of the Constitution of the State of California be amended, relative to taxation and income of any county, city, town, township, Board of Education, or school district. Heacock	54	205	
5	An amendment to Section 7 of Article IX thereof, relating to the State Board of Education, compiling, printing, and distribution of text-books for the public schools of the State, and providing for County Boards of Education. G. J. Campbell	54		
6	To propose an amendment to Section 11 of Article VI of the Constitution of the State of California, relative to the jurisdiction of Justices of the Peace. Britt	54		
7	To propose to the people of the State an amendment to the Constitution of the State, relative to poll tax. Dray	54	424	
8	To propose to the people of the State of California an amendment to the Constitution of the State, amending Section 1 of Article VII thereof, relative to the pardoning power. Heacock	54	815	
9	An Act to propose to the people of the State of California an amendment to the Constitution of the State, relative to the judiciary. Crandall	69		
10	An Act to submit to the people of the State of California an amendment to Section 2, Article IV, of the Constitution of the State of California. Mahoney	79	176	248
11	A resolution to propose an amendment to Sections 15 and 19, Article V, of the Constitution. Mead	86	363	548
12	Relative to changing the seat of government from Sacramento to the city of San José. Crandall	89		
13	Relative to amending Sections 1, 2, 3, 4, 10, 12, 17, 18, 23, and 24 of Article VI of the Constitution of the State of California, relating to the Judicial Department. Sprague	106		
14	Proposed amendment to Article XI of the Constitution, relative to the framing and adoption of charters by cities containing more than 3,500 inhabitants. Carpenter	161	409	806

Number	TITLE	Introduced	Passed Senate	Passed Assembly
15	Relative to a Board of Railroad Commissioners. Mead	174		
16	An Act to amend the Constitution wherein it relates to the Judicial Department, to establish District Courts of Appeal, and to relieve the Supreme Court, looking to the abolishment of the Supreme Court Commission. Preston	218		
17	Relative to trial by jury and the verdict of such jury. Heacock	242	909	
18	A resolution to propose an amendment to and providing for the repeal of Sections 9 and 10 of Article XIII of the Constitution, relative to a Board of Railroad Commissioners. Ragsdale	249		
19	Relative to the creation of new counties by a direct vote of the people. Preston	250	816	
20	Relative to the payment of chaplains or other religious instructors in State institutions. Wilson	348		
21	A resolution to propose to the people of the State of California an amendment to Section 7 of Article IX of the Constitution of the State of California. Goucher	371		
22	To propose to the people of the State an amendment to the Constitution of the State, relative to the exemption of fruit trees and vines under five years of age from taxation. Heacock	426	502	
23	An Act providing to have submitted to the people an amendment to Article XIII of the Constitution, Section 1, in relation to revenue and taxation. Maher	715	715	